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William A. Waldron

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NAZI CONSPIRACY AND AGGRESSION

VOLUME VIII

Office of United States
Chief of Counsel For Prosecution
of Axis Criminality

DEPARTMENT OF STATE · UNITED STATES OF AMERICA
UNITED STATES OF AMERICA · WAR OFFICE
INTERNATIONAL MILITARY TRIALS · NURNBERG

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A Collection of Documentary Evidence and Guide Materials Prepared by the American and British Prosecuting Staffs for Presentation before the International Military Tribunal at Nurnberg, Germany, in the case of

THE UNITED STATES OF AMERICA, THE FRENCH REPUBLIC, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, and THE UNION OF SOVIET SOCIALIST REPUBLICS

— against —

HERMANN WILHELM GOERING, RUDOLF HESS, JOACHIM von RIBBENTROP, ROBERT LEY, WILHELM KEITEL, ERNST KALTENBRUNNER, ALFRED ROSENBERG, HANS FRANK, WILHELM FRICK, JULIUS STREICHER, WALTER FUNK, HJALMAR SCHACHT, GUSTAV KRUPP von BOHLEN und HALBACH, KARL DOENITZ, ERICH RAEDER, BALDUR von SCHIRACH, FRITZ SAUCKEL, ALFRED JODL, MARTIN BORMANN, FRANZ von PAPEN, ARTUR SEYSS-INQUART, ALBERT SPEER, CONSTANTIN von NEURATH, and HANS FRITZSCHE, Individually and as Members of Any of the Following Groups or Organizations to which They Respectively Belonged, Namely: DIE REICHSREGIERUNG (REICH CABINET); DAS KORPS DER POLITISCHEN LEITER DER NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITERPARTEI (LEADERSHIP CORPS OF THE NAZI PARTY); DIE SCHUTZSTAFFELN DER NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITERPARTEI (commonly known as the "SS") and including DIE SICHERHEITSDIENST (commonly known as the "SD"); DIE GEHEIME STAATSPOLIZEI (SECRET STATE POLICE, commonly known as the "GESTAPO"); DIE STURMABTEILUNGEN DER N.S.D.A.P. (commonly known as the "SA") and the GENERAL STAFF and HIGH COMMAND of the GERMAN ARMED FORCES all as defined in Appendix B of the Indictment,

Defendants.

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Speech of Julius Streicher from "Fraenkische Tageszeitung"
No. 108, Friday, 10th May 1935.

Julius Streicher spoke:
"* * * The Jews came to Germany, came to all countries, and everywhere the same thing happened. The peoples used to be led by their own nationals, by natives of their countries, they had a leadership of their own blood. And then slowly the Jews came to power, divided all peoples into parties, into religions, and thus it became possible for the Jewish world regime to be, one can say, the determining factor in world history during the last 150 years. Thus the German people had to withstand the whole world. It withstood for four years and a half and we can proudly say we are the greatest people, for the others together did not manage to destroy us. Such a people is not meant to be completely destroyed under Jewish domination and to be sacrificed once more. It is meant to live and to see to it that the other peoples return to a free life.

The other day I had cause to congratulate Mosley, the leader of the British Fascists, on a speech he had made. He thanked me in writing and concluded by saying: As long as the Jews still govern the poeples, as long as the world has not liberated itself from Jewish domination, peace is unthinkable. You see, therefore, that the development which will give the other people their freedom will originate from Germany.

We were right and we now look from the Third Reich towards the big historical happenings of the present time and the future and we see universal peace shaping, but only after a universal judgment to which all Jewry will be compulsorily submitted.

* * * You see what happened here is still happening in all other countries today. Everywhere parties, parliaments, baptized Jews are in government. It is the Jew in Great Britain, the Jew in France, the Jew in Russia, the Jew in Italy, the Jew all the world over (applause) who does not want peace to come to this world.

* * * This the French front-line soldier should take with him to France: The German people have taken a new lease of life, they want peace, but if anyone tries to attack them, if anyone tries to torture them again, if anyone tries to push them back into the past, then the world would see another heroic epic, then heaven will decide where righteousness lies—here, or where the Jew has the whiphand, where he instigates massacres, one could almost say the biggest ritual murders of all times.

If the German people are to be slaughtered according to the

Jewish rites, the whole world will be thus slaughtered at the same time. The French people are being shaped by its rulers into an instrument for those people who destroyed the Russians. Now they are arming, arming to possess an army to re-establish domination, a Jewish domination not only over Germany, but the final Jewish domination over the whole world. You see, my dear compatriots, anyone knowing the racial question, anyone knowing the Jewish question realizes all Jewry is the universal enemy.

As you have drummed morning and evening prayers into your children's heads, so now drum this into their heads, so that the German people may gain the spiritual power to convince the rest of the world which the Jews desire to lead against us."

PARTIAL TRANSLATION OF DOCUMENT M-3

ADOLF HITLER "MEIN KAMPF",

Unexpurgated edition in English published by Hutchinson,
Page 440.

"Certainly in the years 1918-1919 the founding of a multitude of new groups, parties, etc., calling themselves 'Patriotic', was a natural phenomenon of the time, for which the founders were not at all responsible. By 1920 the National Socialist German Labour Party had slowly crystallized from all these parties and had become supreme. There could be no better proof of the sterling honesty of certain individual founders than the fact that many of them decided, in a really admirable manner, to sacrifice their manifestly less successful movements to the stronger movement, by joining it unconditionally and dissolving their own."

"This is specially true in regard to Julius Streicher, who was at that time the protagonist of the German Socialist Party in Nurnberg. The National Socialist German Labour Party had been founded with similar aims in view, but quite independently of the other. I have already said that Streicher, then a teacher in Nurnberg, was the chief protagonist of the German Socialist Party. He had a sacred conviction of the mission and future of his own movement. As soon, however, as the superior strength and stronger growth of the National Socialist Party became clear and unquestionable to his mind he gave up his work in the German Socialist Party and called upon his followers to fall into line with the National Socialist German Labour Party, which had come out victorious from the mutual contest, and carry on the fight within its ranks for the common cause. The decision was personally a difficult one for him, but it showed a profound sense of honesty."

Streicher's speech on 5 September 1937 commemorating the opening of the Wilhelm-Gustloff-Bridge in Nurnberg. (Reported in the Fraenkische Tageszeitung 5 September 1937).

" * * * With the memorial which has just been unveiled we honour, in the town of the Reich-Party rallies, the fighter who was murdered by a member of the Jewish people. In a plain and simple way it says on the bronze plaque "Wilhelm Gustloff, 30th January 1895—4th February 1936. Murdered by a Jew."

I believe Nurnberg is the first town to have the courage to write on a monument "Here a man is honoured who was killed by a Jew."

The Legacy of Wilhelm Gustloff

This inscription should always remind us of our task of saying before the whole world: This monument was not only built to honour a murdered man of the movement. Nay, it must be a real admonition. All those who walk or drive over this bridge should cast their eyes upon this beautiful monument with a quiet prayer. Bring your children here and let them pray, not to saints of the Jewish people, but to those who were murdered by the Jewish people.

And this inscription should further admonish us not to tire in our work of enlightenment that we began here 15 or more years ago. We told the workmen time and time again: Don't let the Jew lead you astray. The Jewish serpent tells the peoples: You are all equal. And millions believed the Jews and the disaster occurred.

We repeatedly said: Rid yourselves of that enormous fraud. It is not true that all peoples are equal. Nothing in nature is the same and men are not the same either. God created inequality in nature and men. But the inequality which the Jewish people introduced among the peoples by creating enormous wealth on one side and unspeakable misery on the other—that is unnatural. This inequality created by the Jews must be exterminated.

The man who murdered Wilhelm Gustloff had to come from the Jewish people, because the Jewish text-books teach that every Jew has the right to kill the non-Jew, and, indeed, *that it is pleasing to the Jewish God to kill as many non-Jews as possible.*

Look at the way the Jewish people have been following for thousands of years past; everywhere murder, everywhere mass murder. Neither must we forget that behind present-day wars there stands the Jewish financier who pursues his aims and interests. The Jew always lives on the blood of other nations; he needs such murder and such victims. For us who know, the murder of Wilhelm Gustloff is the same as ritual murder.

We must tell our children!

It is our duty to tell the children at school and the bigger ones what this memorial means. And to the many who today still do not know what it is all about we must explain: The security which we have now created for ourselves will only last for centuries if we never more lose the knowledge which we have made clear to the people.

The Jew no longer shows himself among us openly as he used to. But it would be wrong to say that victory is ours. Full and final victory will have been achieved only when the whole world has been rid of Jews.

Every man or woman should be taken in to see the Anti-Bolshevist exhibition which has now been opened here, and then in front of this memorial. Then perhaps many would understand why we always say: The Jew is our misfortune.

We are here doing honour to a man who died bravely. You know that a Jew came into his house and shot him treacherously. When a German kills a German he has the whole nation against him. But when a Jew kills a non-Jew the whole Jewish people is on his side. All the Jews stood together and collected money for the defence of this murderer. This shows what sort of a people the Jews are and what we can still expect from this people.

We must leave this place with a sacred vow to be hard of heart. Peace has not come for us yet. Those who come after us may perhaps live to see it, if what we preached, hammered into people's heads, and planted in their hearts is never forgotten, if we who know plant hatred against the Jews in the hearts of youth, *if we do not get soft any more but remain strong.* Then we will overcome the dragon and crush beneath our heel the head of the serpent which has wound itself round the globe for many thousands of years.

We want to stand together.

We have dedicated our lives to the fight against the murderers of Christ and we are proud that we did not spend the last years in idleness, but by hard fighting carried enlightenment into the German people and furthermore into the other nations. From this town enlightenment was carried into the world. In this place let us say to ourselves: We want to stand side by side in the towns with the men, under whose care it is, and we want to take it for granted that they are doing their job as it should be done; and we want to stand together in the Gau because we have to fulfil a task. This task is not yet completed but we will continue working in this spirit and belief to the last gasp. And if we always think of Adolf Hitler, then we cannot fail to receive strength and benediction from heaven.

Adolf Hitler also made this man, Wilhelm Gustloff, a follower of his, and Wilhelm Gustloff remained faithful to the Fuehrer unto death. We salute Adolf Hitler, the creator of the Third Reich, the Saviour of the German people."

TRANSLATION OF DOCUMENT M-5

PRESS CONFERENCE
on August 4, 1938.

In the chair: Regional leader [Gauamtsleiter] Schoeller.
Duration: 1 hour.

1. *Reception of journalists from the Reich.*—The representative of the German and Austrian party and general press, who will arrive in Nurnberg today and tomorrow morning, will be received according to the following programme:

09.30: Assembly of participants in the Deutsche Hof.
09.45: Proceed by bus to Gau house.
10.00—10.30: Reception in the Gau house conference room by Gau leader Streicher. Conducted tour of Nurnberg (old town, etc.)
12.30—14.00: Luncheon in the historical ceremonial hall of the Rathaus.
14.00—16.30: Conducted tour of the party convention area.
Guide: Prof. Brugmann.

2. *Opening of the Bast Ltd. swimming pool.*—At 11:00 hrs. on August 6th in the presence of the Gau leader.

3. *Bicycle races at Reichelsdorf.*—On Sunday, August 7th, in the presence of the Gau leader who has taken on the patronage.

4. *Breaking-up of the Synagogue.*—(information must be kept *secret* until further notice) At 10.00 hrs on August 10th a start will be made at breaking-up the synagogue. Gau leader Julius Streicher will personally set the crane in motion to remove the Jewish symbols (Star of David, etc). The show should be arranged in a big way. Further details are still outstanding.

5. *Editor Burkert of the "Neustaedter Anzeigelblatt."*—According to an unofficial report, editor Burkert had to appear before Gau leader Streicher this morning. At the end of the discussion Berkert was severely admonished (apparently by Schoeller). An extract from today's paper concerning this matter is attached.

6. *Former prime minister Held.*—According to a DNB message, the former Bavarian prime minister Held has died. Editors are expected to use their tact in that they, if they are to publish this information at all, do not feature it or allot it space on the front page.

7. *Foreign journalists*—The presence and activities of foreign journalists may only be reported on with the permission of the Reich office for propaganda. The value of these foreigners may be gauged for instance on the reporting of the Reuter representative who is at present at Hesselberg. He reported inter alia that every year on the Day of Franconia the 12 prettiest and the 12 ugliest maidens of Franconia were selected. The 12 prettiest maidens belonged to the Gau leader and his staff and the ugliest were burned at the stake.

TRANSLATION OF DOCUMENT M-6

Leading Article by Julius Streicher from "Der Stuermer" of September 1936 (No. 39)

To everybody! The "Stuermer" was right.

The battle against the devil.

When in 1933 National Socialism came to power in Germany, many people thought that they could say that the "Stuermer's" task was now finished. During the ensuing period striking events brought about by Jews made it clear to these know-alls that they had been talking nonsense. When the Nurnberg decrees for the protection of German blood and the German people were decided upon at the Reich Party Rally in 1935, there were again people who believed that with the creation of these laws the Jewish question was solved. Those who thought and talked along these lines were again given a lesson within the year by world events. Only those who had but a superficial knowledge of what the Jewish question means to those who know, could speak of a solution of this question. At the Reich Party Rally in Nurnberg which has just ended, it must have become clear even to the most simple-minded that the Jewish question is a question of *world importance,* the solution of which depends on a course of events which stretches out beyond the frontiers of the Third Reich. The speeches made at the Reich Party Congress in Nurnberg have finally put a spoke in the wheel of those who, consciously or unconsciously, were against the work of the "Stuermer." Dr. Wagner, the Reich Medical Chief, said in his speech of the 12th September 1936—word for word:

"However, to those who believe that the Jewish question has been finally solved and the matter thus settled for Germany by the Nurnberg decrees, be it said: The battle continues—world Jewry itself is seeing to that anyhow—and we shall only get through this battle victoriously if every member of the German people knows that their very existence is at stake. The work of enlightenment carried on by the party seems to me to be more than ever necessary today, when even many party members seem to think these matters no longer real or urgent."

Dr. Wagner, the Reich medical chief, thereby said what the "Stuermer" has always said to those who did not want to understand its work. At the Reich Party Rally of 1936 National Socialism declared war to the death on the Bolshevist Jews who are setting fire to the world. But wars can only be won if the combatants know *for what* they are fighting. The "Stuermer's" 15 years of work of enlightenment has already led an army of those who know—millions strong—to National Socialism. The continued work of the "Stuermer" will help to ensure that every German down to the last man will, with heart and hand, join the ranks of those whose aim it is to crush the head of the serpent Pan—Juda beneath their heels. He who helps to bring this about helps to eliminate the devil. And this devil is the Jew.

Julius Streicher.

PARTIAL TRANSLATION OF DOCUMENT M-7

"Voelkischer Beobachter" dated 29 March 1933,
vol. 46, No. 88, column 4.

Proclamation of the party executive of the national-socialist party. Saturday, at 10 a. m. sharp, Jewry will realize whom it has challenged!

Instructions to the whole party:

The following instructions are issued to all party offices and party organizations.

Item 1—*Action committees for boycotting Jews*

In every local branch and formation of the national-socialist party organization action committees are to be formed without delay for the practical and systematical carrying out of a boycott of Jewish commercial enterprises, Jewish goods, Jewish doctors and Jewish lawyers. The action committees are responsible for seeing that no innocent party is hit by the boycott but that it will hit the guilty parties all the harder.

* * * * * * *

Item 4—*Central leadership: Party member Streicher*

In cases of doubt commercial enterprises will not be boycotted until the central committee in Munich has issued definite instructions to the contrary. Chairman of the central committee is party member Streicher.

* * * * * * *

Item 8—*The boycott starts on April 1st.*

The boycott will not commence spasmodically, but with one blow. All preparations are to be made with this end in view. The SA and SS are instructed to warn the population by means of pickets from entering Jewish enterprises once the boycott has started. The commencement of the boycott will be announced through posters, through the press, by means of leaflets, etc. The boycott will start at one blow on April 1st at 10 a.m. sharp.

The national-socialist party.
The party executive.

PARTIAL TRANSLATION OF DOCUMENT M–8

"Voelkischer Beobachter" dated 13 Feb. 1935,
vol. 48 No. 44, page 2, column 3.

The Fuehrer congratulates Julius Streicher on his 50th birthday.

Adolf Hitler spoke to his old comrades in battle and to his followers in words which went straight to their hearts. By way of introduction he remarked that it was a *special pleasure* to be present for a short while in Nurnberg, the town of the national-socialist community which had been steeled in battle, at this day of honour of Julius Streicher, and to be within the circle of the *standard bearers of the national-socialist idea* during many years.

Just as they all of them had during the years of oppression unshakeably believed in the victory of the movement, so his friend and comrade in the battle, Streicher, had stood faithfully at his side at all times. It had been this unshakeable belief that had moved mountains.

For Streicher it would surely be a solemn thought, that this fiftieth anniversary meant not only the half-way point of a century, but also of a thousand years of German history to him. He had in Streicher a companion of whom he could say that here in Nurnberg was a man who would never waver for a single second and who would unflinchingly stand behind him in every situation.

PARTIAL TRANSLATION OF DOCUMENT M–10

An Article which appeared in a special edition
of the "Stuermer" in May 1939.

THE "STUERMER'S" ANSWER TO THE ARCHBISHOP OF CANTERBURY

This special edition must not be concluded before the "Stuermer" has had it out with Dr. Lang, the Archbishop of Canterbury (England). As has already been reported previously, this churchman participated in the general outcry of protests against the "Stuermer" and its publisher, Julius Streicher * * *

This senile priest, however, has by virtue of his protest, joined forces with a company which must expose him to shame and contempt. At the same time he has, with this protest, offended against the laws of decency and against the most elementary principles of Christianity. * * *

The Archbishop of Canterbury therefore sides with the money bag, with the lying world press, with the Jewish crooks and financial hyenas, with the Jewish-Bolshevist mass-murderers. It is a fine company which the Archbishop of Canterbury has joined. They are flayers of mankind, criminals, gangsters, murderers. In short, they are Jews.

By choosing their side, the Archbishop of Canterbury committed a further, even more contemptible crime. He committed the crime of betraying Christianity. The crime of betraying non-Jewish mankind.

The Archbishop of Canterbury insults Julius Streicher. He calls him an "odious inciter." The Archbishop cannot hurt Julius Streicher by this. This man stands so high in the battle which he is conducting against world Jewry that the Archbishop of Canterbury cannot reach him. But let this be said to the

Archbishop: *To fight for the Jews is easy. To fight against the Jews is difficult.* It is the most difficult and the greatest of battles. *Julius Streicher* has been fighting this battle for 20 years. In doing this, he had to risk his name, his existence, and his life a thousand times. Again and again he had to go into the prisons of the Republic. And he did all this only because he knows that the battle against world Jewry is after all nothing but *the battle of good against bad.* The Archbishop of Canterbury, who, surrounded by a halo, stands at the head of the Church of England, *would never have had the courage to fight the battle.* He would never have had the courage to use all his resources and to sacrifice everything in order to be able to oppose the enemy of the world with all his might.

PARTIAL TRANSLATION OF DOCUMENT M-11

STREICHER'S SPEECH IN THE CENTRAL HALL OF THE COLISEUM IN NURNBERG, 23 November 1922,

Taken from "Kampfdem Weltfeind", pages 17–20

"I see thousands of workers poorly dressed passing me by after a hard day's work carrying a pot of soup * * * They speak of their hard life and of their unbearable misery. But other people also pass me by clad in valuable fur coats, with fat necks and paunchy stomachs. These people do not work. They are Jews taking an evening walk. They speak of their business and their profit. * * * The Jew is born for driving hard bargains and doing nothing. * * * people that is born for bargaining has no right to live amongst the people which for thousands of years has made its living by honest work. The whole German people works, but the Jews live at the expense of the Germans."

"It is wrong to say that France, England and the remaining Allies won the World War. *The only victor was the international Jew.*"

"We know that Germany will be free when the Jew has been excluded from the life of the German people."

PARTIAL TRANSLATION OF DOCUMENT M-12

STREICHER'S SPEECH 20 November 1924

Taken from "Kampf dem Weltfeind", pp. 30-34

"I beg you and particularly those of you who carry the cross throughout the land to become somewhat more serious when I speak of the enemy of the German people, namely, the Jew. Not out of irresponsibility or for fun do I fight against the Jewish enemy, but because I bear within me the knowledge that the whole misfortune was brought to Germany by the Jews alone."

"I ask you once more, what is at stake today? The Jew seeks dominion not only among the German people but among all peoples. The Communists paved the way for him. * * * Do you not know that the God of the Old Testament orders the Jews to consume and enslave the peoples of the earth?"

"The government allows the Jew to do as he pleases. The people expect actions to be taken * * * You may think about Adolf Hitler as you please, but one thing you must admit! *He possessed the courage to attempt to free the German people from the Jew by a national revolution. That was action indeed.*"

PARTIAL TRANSLATION OF DOCUMENT M-13

STREICHER'S SPEECH IN NURNBERG, 3 April 1925
Taken from "Kampf dem Weltfeind," p. 42

"You must realize that the Jew wants our people to perish. That is why you must join us and leave those who have brought you nothing but war inflation and discord. For thousands of years the Jew has been destroying the nations. Let us make a new beginning today so that we can annihilate the Jew."

PARTIAL TRANSLATION OF DOCUMENT M-14

STREICHER'S SPEECH IN THE HERCULES HALL IN NURNBERG 21 April 1932,
Taken from "Kampf dem Weltfeind," p. 134

"For 13 years I have fought against Jewry.

"But I know that the German worker can only be won back if these words are continually hammered into him: the Jews are our misfortune.

"All Jews have one common aim: World dominion."

"We know that the Jew whether he is baptized as a Protestant or as a Catholic, remains a Jew. Why cannot you realize, you Protestant clergymen, you Catholic priests, you who have scales before your eyes and serve the god of the Jews who is not the God of Love but the God of Hate? Why do you not listen to Christ who said to the Jews: 'You are children of the devil.' "

PARTIAL TRANSLATION OF DOCUMENT M-20

"German People's Health from Blood and Soil".
[Deutsche Volksgesundheit aus Blut und Boden], New Year's
Issue 1935.

"It is established for all eternity: alien albumen is the sperm of a man of alien race. The male sperm in cohabitation is partially or completely absorbed by the female and thus enters her bloodstream. One single cohabitation of a Jew with an Aryan woman is sufficient to poison her blood forever. Together with the alien albumen she has absorbed the alien soul. Never again will she be able to bear purely Aryan children, even when married to an Aryan. They will all be bastards, with a dual soul and the body of a mixed breed. Their children will also be crossbreeds, that means ugly people of unsteady character and with a tendency to illness. Now we know why the Jew uses every artifice of seduction in order to ravish German girls at as early an age as possible, why the Jewish doctor rapes his patients while they are under anaesthetic. He wants the German girl and the German woman to absorb the alien sperm of a Jew. She is never again to bear German children. But the blood products of all animals right down to the bacteria like serum, lymph, extracts from internal organs, etc. are also alien albumen. They have a poisonous effect if directly introduced into the bloodstream either by vaccination or injection. By these products of sick animals the blood is ravished, the Aryan is 'impregnated' with an alien species. * * * The author and abettor of such action is the Jew. He has been aware of the secrets of the race question for centuries and therefore plans systematically the annihilation of the nations which are superior to him. Science and 'authorities' are his instruments for the enforcing of pseudo-science and the concealment of truth."

PARTIAL TRANSLATION OF DOCUMENT M-21

Article from "Der Stuermer", No. 10, March 1936, p.8.

JEWISH BLOOD IN A PRIEST'S ROBE

The secret about vicar Jacobi.

Christ once said to the Pharisees that they walked about in sheep's clothing but were in reality ravening wolves, that they were liars, and cheats. Such ravening wolves are also those priests who have put on their priests' robes, not because of an inner need, but in order to deceive and fool others. On examining the vilest agitators in priests' clothing more thoroughly, one always discovers the wolf in sheep's clothing. Their blood and their split soul induce them to sacrifice the cause of the people to the cause of the Jewish world criminals.

One such wolf in sheep's clothing is vicar *Jacobi* of the Kaiser-Wilhelm memorial church in Berlin. At solemn meeting held in Berlin to celebrate the 100th anniversary of the birth of the protestant fighter, *Adolf Stoecker,* he succeeded in degrading the memory of that great man. He succeeded in reinterpreting for his un-German purposes the name *Adolf Stoecker,* although he knew that this man was as much a good priest of the Evangelic church as he was a great anti-semite. The audience at that meeting was indignant at vicar Jacobi's attitude. The key to this peculiar priest's attitude can be found in the reformed church register of Jericho near Berlin. There we find as a direct ancestor of vicar *Jacobi* the Jewish merchant *Simon Jacobi.* The document says:

Jericho (Altmark)

"On the 15th November 1804 in the Royal Amtskirche here there was presented and baptised by me, after previous lessons in the Christian religion, the Jewish proselyte, Simon Jacobi from Genthin, born on 21st February 1778 in the Bernburg township of Gernerode, who received the name Friedrich Julius Simon Jacobi on being baptised."

As the blood is, so is the man. Whoever has Jewish blood in his veins will sooner or later reveal the Jewish part of his character. This is what happened with vicar *Jacobi* of the Kaiser-Wilhelm memorial church in Berlin. The Jewish blood which runs in his veins revealed him at that meeting in a predestined manner as what he always has been and always will be—a member of the Jewish race.

TRANSLATION OF DOCUMENT M–22

LETTER FROM "DER STUERMER", No. 14, April 1937.

Der Reichsfuehrer-SS.

Berlin, S.W.11, 19 Jan. 1937.
Prinz Albrecht Strasse 8.

If in later years the history of the re-awakening of the German people is written and if already the next generation will be unable to understand that the German people was once friendly to the Jews, it will be stated that Julius Streicher and his weekly paper "Der Stuermer" have contributed a great deal towards the enlightenment regarding the enemy of humanity.

Der Reichsfuehrer SS.
(Sgd) H. Himmler.

LETTER FROM "DER STUERMER", No. 16, April 1936, page 8.

THE STUERMER IN THE YOUTH HOSTEL

How German boys and girls are being made familiar with the Jewish question.

Dear "Stuermer",

The children of the "National Socialist Youth Hostel" at Grossmoellen in Pomerania also want to send you their greetings. We read your reports every week with great interest. The "Stuermer" is and will be a welcome guest in our house. With its help we get to know the Jew as he is. We also have a simple "Stuermer" case. We cut out the pictures from the "Stuermer" and fix them to a special notice board in our day room. There the boys and girls can get to know exactly what the Jews look like.

Now we want to tell you of another method, which we use to expose the Jew to all children. Every Sunday night the leader of our hostel presents a play about the Jews with his hand puppet-show. We have a puppet which represents a proper Jew. He has a nose like the Devil. When the Casper comes we call on him to chase away the nasty Jew. But whenever during the game the Jew asks us to help him, we then simply call for Casper.

Today we saw a play on how the devil persuades the Jew to shoot a conscientious National Socialist. In the course of the play the Jew did it too. We all heard the shot. We would have all liked to jump up and arrest the Jew. But then the policeman came and after a short struggle took the Jew along. You can imagine, dear "Stuermer", that we heartily cheered the policeman. In the whole play not one name was mentioned. But we all knew that this play represented the murder by the Jew Frankfurter. We were very sick when we went to bed that night. None felt like talking to the others. This play made it clear to us how the Jew sets to work.

Now we act regularly in plays about the Jews which the leader of our home reads to us from the "Stuermer". We can hardly wait for the next Saturday to come around again. We greet you, dear "Stuermer" with a loud "Heil Hitler."

The boys and girls of the National Socialist
Youth Hostel, Grossmoellen.

TRANSLATION OF DOCUMENT M-26

LETTER FROM "DER STUERMER" No. 10, March 1936, Page 10.

He calls himself a Party Member

Dear Stuermer.

Germany is still reacting against the treacherous crime committed at Davos by the Jew Frankfurter against the provincial group leader [Landesgruppenleiter] of the NSDAP, Gustloff. Every German, particularly every party member must know, that the Jew is the bitterest enemy of our nation. The party member Johann Jakob, known as Bauerndick, from Reichenbach near Teuschnitz, differs in his opinion. He is acting on behalf of the Jew, Gassenheimer, from Hildburghausen. In a public house—on 6th February, 1936— he called the Jews his friends. There is no room in the party for such who bow down to the Jews.

TRANSLATION OF DOCUMENT M-27

LETTER FROM "DER STUERMER", No. 11, March 1936, p. 10.

Friends of the Jews on the Moselle

Dear Stuermer,

In Bruttig, in the lovely Moselkrampen, there is a boarding school for children. It is under the direction of sisters. Jewish children were cared for there too. That these offspring of Jews even stood round the little crib and took part in the performances during the Christmas plays reveals the spirit which prevails in this school. Now the National-Socialist communal counsellor has put an end to these undignified conditions. He put a ban on Jewish children being cared for at the school. There was great sorrow over this among those who bow down to the Jews. To overcome this "bad state of affairs", the wife of the richest peasant in Bruttig, Mrs. Nik. Loenarz, decided to look after the Jewish children. She now goes out for walks with Jewish children in bright daylight. No wonder the Loenarz family buys meat from the Jew. *"Tell me with whom you consort and I will tell you who you are."*

In nearby Fankel, there lives a brother of the Loenarz woman, the friend of Jews. His name is Josef Hess; he is the owner of a patrimonial estate and is the richest bachelor in the place. This compatriot never gives anything for any collection. He says he has nothing himself. Another owner of a patrimonial estate, Math. Hess, does not give a Pfennig either. That is how these people show their gratefulness to the Third Reich for having saved them from communism. For those kinds of compatriots it would have been far better if they had themselves felt the "blessings" of communism.

TRANSLATION OF DOCUMENT M-28

LETTER FROM "DER STUERMER", No. 11, March 1936, p. 10.

She must stick to the Jews.

Dear Stuermer,

The laws of the Nurnberg party convention define the Jews' position towards the German people. The bestial murder committed in Davos by the Jew, Frankfurter, should further contribute to every German's knowledge as to what attitude to adopt towards the Jews. Yet there are still compatriots who stick to the Jews.

The wife of the farmer Menzel, from Gross-Schiresdorf, near Goldberg, buys her shoes from a Jew, though her husband, as a farmer Stahlhelm-member, belongs to the SAR. Dear "Stuermer", we National Socialists of Silesia will work hard to make every compatriot realize the Jewish question. But the nation should also know who are the people who sabotage our defensive struggle.

TRANSLATION OF DOCUMENT M-30

SPEECH BY JULIUS STREICHER ON 26 JUNE 1925 IN THE BAVARIAN DIET,

Taken from "Kampf dem Weltfeind", Page 49.

We National-Socialists demand that our children are instructed by German teachers only. Even if the diet does not agree to our demand, we shall not relinquish it. We know that Jewish children are being educated quite differently by their parents from German children. The Jewish children are being taught that they belong to a chosen race but that the German children belong to a race which is equal to cattle. Considering this fact, it is obvious to us National Socialists that we shall never place German children in the same classroom with Jewish children.

And now how does this method of education operate in daily life? The Jew considers not only the individual but the whole nation as cattle. These workers who are in the Communist party do not know yet that they with all their idealism, are tools of this race, which strives after nothing else but world domination. There is no need for you to tell me that the Jew has lived for ages in Germany and that he is a citizen of this country. With equal rights, in the course of a couple of centuries, our descendants would have to look upon the Negro who is at present with the troops of occupation on the Rhine as upon a citizen of equal quality and with equal rights. The mere fact that the Jew has been living in Germany for ages does not mean a thing. The Jew belongs to a foreign race and his aims are of alien character. Therefore, he must not have the same rights as we have. The Jew should educate his children in Jewish schools. Later on you will realize how important it is to have these demands carried out.

Mr. Kultusminister (Minister of public worship and instruction), in the same way as you cannot prevent us refusing to accept the Negro on the Rhine, you cannot deprive us of our knowledge that the Jew is a foreign element in our midst. You can solve the anti-semitic problem only when you have eliminated the Jew from the life of the German people.

Recently the German Academy opened in Munich. Two members of this institution are pure Jews, Theodor Wolf of the "Berliner Tageblatt" and Georg Bernhardt of the "Vossische Zeitung". Can one, under such circumstances, still describe an Academy as "German"?

Mr. Kultusminister, do create *German* schools and *German* Academies! Take away from the Jew the possibility of influencing the soul of our German youth! It is you, Mr. Kultusminister, who should, as a responsible person, be the first to set a good example! But you continue to carry on in the same old way until it will be too late. Mr. Kultusminister: You yourself are contributing to the fact that Germany is on her way to destruction. I repeat: We demand the transformation of the school into a National-German institute of education. If we let German children be taught by German teachers then we shall have laid the foundations for the National-German school. This National-German school must teach racial doctrine. At the present moment our youth is still being educated according to the freemason principle: "All that has human face is equal." It is a ridiculous expression. Just as animals belong to various races so are human beings different from one another. The distinction has been made by God. The motto of the future should be: "Not all that has a human face is the same." Our compatriots in the Palatinate can see daily the difference between Germans and Negroes. But it is not only the color which decides the difference between us and other races, it is the blood. We National Socialists demand that all pupils from the grammar to high school be enlightened regarding the differences between the races. This will clear the way for the realization that the Jew is not a German but a man of alien race. People say now that the Jew has merely a different religion and in 200 years people will say that the Negro on the Rhine has merely a different color. It is the task of a Kultusminister to make a clean sweep of this view. We demand, therefore, the introduction of racial doctrine into the school.

There are people who are still in favor of confessional schools. When we demand that the children be educated in German schools, the answer is always that religion is in danger on account of children of different confessions sitting side by side. If the clergy do their duty as teachers of religion, then religion is not being endangered. In the factories workers of both confessions are earning their living. You will not be asked there whether you hold the hammer in a catholic or protestant fist. Let us at last stop differentiating between Protestants and Catholics! Let us be Germans! To my mind a good German is also a good Christian! I would like to conclude! In his speech a communist deputy has just spoken about reconciliation between nations. I am giving him his reply: It is impossible to speak about reconciliation between nations without dealing with the Jewish question first. Whoever has recognized the baneful influence and the aims of Jewry in the world will understand our stubborn struggle and our resistance. Mr. Deputy of the Communist Party: You cannot deny the fact that wherever you may go, in China, in Africa, in America, Soviet agents are at work! They are agents of the Jews who are ruling Russia today. The results will be apparent in not far distant future. The final battle with the international power of the world Jewry is imminent. We shall win the battle only when we give up the petty party struggle and become a *united* nation. It will become a fact when we Germans realize the extent of the damage already caused by the Jewish fungus. At the moment when we have freed ourselves internally from the Jewish power as well as from the Jewish idea of domination the way to reconciliation with other non-Jewish nations will lie open. We can now already feel that many nations, the same as ourselves, are longing for the liberation from the Jewish oppressor. You too, gentlemen, will understand one day the reason why there were National Socialists who were prepared to be abused, reviled, or to be imprisoned for their ideology! I have always been firmly convinced that we deserve our future only when we have the courage to describe the race which crucified Christ as the enemy of the world.

AN ARTICLE SIGNED BY JULIUS STREICHER IN "DER STUERMER", No. 12, 19th March 1942, pages 1 and 2

The approaching finale
The prophecy of the Fuehrer

There were two ways which might have led to a liberation of Europe from the Jews: Expulsion or extermination! Both methods have been tried in the course of the centuries, but they were never carried to a conclusion. In the thirteenth century there was an expulsion of Jews from England; a century later one from France. Towards the end of the fifteenth century the Jews were expelled from Spain and Portugal, and this also took place in Germany and the eastern European countries. However, as this forcible expulsion was not employed simultaneously by all the nations, its success was bound to be denied to Europe as a whole. For when a Jew was expelled from one country he emigrated to a part of the continent where the expulsion of Jews had not yet been carried out, or where it had already died down. Thus the Jew wandered from one country to another during the mediaeval expulsions of Jews, and in the end he still remained the victor. Just as the expulsion of Jews merely led to temporary partial successes because of the disunity in the procedure by the European nations, so could the attempt at extermination not lead to any result either, because the extermination was carried out in small numbers and in a few countries only.

The teaching of Christianity had stood in the way of a radical solution of the Jewish problem in Europe. The Christian teaching which conceded to the Jewish people the title "God's people," the protection of the commandment of "love thy neighbour," a commandment which even demands that the neighbour known to be an enemy is not excluded: "If someone smite you on the right cheek, offer him your left cheek as well" * * *

Fate has decreed that it was finally left to the 20th century to see the total solution of the Jewish problem. Just how this solution will be achieved has been made known to the European nations and to entire non-Jewish humanity in a proclamation read out by the Fuehrer of the German people on the 24th February 1942 (the 22nd anniversary of the day on which the N.S.D.A.P. was founded).

Today the ideas of our Nationalsocialist and those of the Fascist revolution have conquered large and mighty nations and my prophecy will find its fulfillment, that in this war not the Aryan race will be destroyed, but the Jew will be exterminated. Whatever else this struggle may lead to, or however long it may endure, this will be the final result. And only then, after the removal of these parasites, will there be a long period of understanding amongst nations, and hence real peace will come to the suffering world.

Julius Streicher

PARTIAL TRANSLATION OF DOCUMENT M–32

"DON'T TRUST THE FOX IN THE GREEN MEADOW NOR THE JEW ON HIS OATH"

"A picture book for grown-ups and little ones" by Elvira Bauer published by the printing dept. of "Der Stuermer", 1936

[Page 6]

"Jesus Christ says, 'The Jew is a murderer through and through'. And when Christ had to die the Lord didn't know any other people who would have tortured him to death, so he chose the Jews. That is why the Jews pride themselves on being the chosen people.".

[Page 18 (see illustration)]

The Jewish butcher. "He sells half refuse instead of meat. A piece of meat lies on the floor, the cat claws another. This doesn't worry the Jewish butcher since the meat increases in weight. Besides, one mustn't forget, he won't have to eat it himself."

[Page 24 (see illustration)]

"What a poor specimen the Jew is. He doesn't like his own women and thinks himself clever if he steals a German woman for himself. Yet look at the Jew: He doesn't even fit her."

[Page 30 (see illustration)]

Shows Streicher as friend and educator of German boys and girls. "We have a fighter in the German Gau of Franconia whom we have to thank that our country remains healthy and free of Jewish residue."

[Page 32 (see illustration)]

Shows German children reading the "Stuermer". "Read the Stuermer! Dirty Jews!"

[Page 36 (see illustration)]

Expulsion of Jewish children from the schools whilst German children jeer. "Now it is going to be nice at school, for all Jewish children have to go, big ones and little ones. Crying, weeping, fury and anger doesn't help. Away with the Jewish brood!"

From the "Muenchener Beobachter," Daily Supplement to the "Voelkischer Beobachter," Issue No. 91/92, dated 1/2 April 1933

100,000 demonstrate in Koenigsplatz against the Jewish incitements to cruelty

Julius Streicher versus Jewish world plague.

On Tuesday, so began Streicher, the Fuehrer declared: "We have now fought for 14 years for the German people, and now, when we want to give it peace, it is more troubled than ever before. For weeks past the newspapers abroad have been saying that Bolsheviks caught in Germany were tortured to death, that they had their eyes put out, that their corpses were mutilated and that pogroms were arranged!

For 14 years we have been repeating in Germany: German people, learn to recognize your true enemy! And the German simpletons listened carefully and then declared that we preached religious hatred. Now the German people is awake, Yes, the whole world now speaks of the eternal Jew.

Never since the beginning of the world and the creation of man has there been a nation which dared to fight against a nation of bloodsuckers and extortioners who for a thousand years have spread all over the world.

The German people did not wish to start that fight, but one day it will thank the fates for the fact that the eternal Jew had been negligent and had thrown a burning torch amongst the nations. The day will come, when humanity will free itself from the Jewish scourge and will stretch its hands towards the eternal peace. It is only because the German people had not recognized its enemy for so long that such unutterable suffering has overwhelmed us. It was left to our movement to expose the eternal Jew as a mass murderer.

I do not ask you whether you are Catholics or Protestants, but if you are Christians, then I tell you: Golgotha has not yet been avenged. But time brings its own revenge, and those who were responsible for Golgotha are already on their way to it.

For weeks past the whole of the Jewish Press abroad is inciting its readers and the people there believe their lies, just as they did during the years of the world war, when the field gray front defended its native land with its bodies. And if today it is said, as it was then, that it were the French, the Russian and the

American etc. nations and their press who were responsible, then I say to you: No! it was not the foreign nations, but it was the Jewish people who were responsible. There are 15 millions Jews in the world, and these 15 million live scattered amongst all the nations of the earth and it is they who must be thanked for the results. Their God tells them: "go out, as you are selected to be the rulers of all nations on earth, and all others must be your slaves!"

The Jew earns his money not by honest work, as a peasant or a workman, but he lives by profiting from the labours of others. He lives by the sweat of other people who work for him.

The German nation was split into innumerable factions—and this was the work of the Jew.

The Jew is in the minority in every country and in order to obtain power as such, he makes use of his ancient slogan; divide and rule!

First of all the Jew divided the German nation in two halves. He placed on the left those who had no possessions, the proletariat, and rendered them homeless and deprived them of their soul. On the right side he placed the owners and he unchained a repulsive struggle between the two which led to a break in the development of the German Nation and brought on it untold misfortunes.

Marx and Lassal were the founders of the left side, Stahl and Wertheimer—those of the right.

And the Jew always formed new parties and placed in each his satellites. He joined the left ones in his capacity as a Jew, whereas to enable him to join the parties of the right he was baptized, as if through this, he could conceal his race.

Each party was supplied by the Jew with newspapers in which he wrote whatever he wished.

To be international was fashionable, and the Jews brought our people to such a pass that it was possible for a State to arise, for which the bells of Potsdam have now at last, prepared an end.

Why does the Jew now persecute from abroad the nation which has so far never as much as touched a hair on his head and even now leaves him free to roam about? The reason is that Germany is lead today by men and not by unscrupulous party officials (stormy applause).

Today a new Germany arises, a Germany where it will be impossible to cause injury to the people by party intrigues in Parliament. Hence the incitement to hate and horrors, because there exist no more parties for the protection of Jews in Germany. Because in Bavaria, too, a Bavarian people's party must become used to the fact that a new Bavaria has arisen, which is greater and more beautiful than the former one and that the dream of an independent state of Bavaria, bound by the river Main, is ended.

A few days before the last elections "Frankfurter Zeitung" wrote: "There is nothing more to do in the North. Now it is necessary to try to save what there is still to be saved in the South." But those gentlemen have entirely miscalculated; *for they did not take into account the German blood and the German soul.*

The time has passed when disunity of the countries could be counted upon.

The German countries are today put on a national-socialist basis by one man of whom only recently a Jew said that he should be driven out of the country with a dog's whip. (Stormy cries of 'shame'.)

The Jew who came to us as guest with the Romans 2,000 years ago has abused the hospitality extended to him and now he places us in the position of an accused person.

The Jew continues his campaign of hate from abroad, because he has no parties inside this country which he can utilize for this purpose. But he will continue to incite people until the time arrives when he recognizes our steadfastness.

As long as I stand at the head of the struggle, this struggle will be conducted so thoroughly that the eternal Jew will derive no joy from it. The movement which has made such great sacrifices, such as the national socialist movement, has the blessing of God almighty, and will also emerge victorious from this battle.

It will bring suffering, now to a few small men, but do make your sacrifice, for it will not last long and have ye faith!

The present struggle is of incalculable importance. Should the German nation be victorious, and victorious it will be, then freedom will come to all other nations.

At 10 o'clock the boycott begins!

Take part in it, all, without exception! We want to become once more united in our will and beliefs, free as were our fathers. And even if the world were full of devils we must succeed!

PARTIAL TRANSLATION OF DOCUMENT M-34

"Voelkischer Beobachter" South-German edition, 279 edition—
48th year Sunday 6th October 1935.

Safeguard of German Blood and German Honour
Gauleiter Streicher speaks at a DAF [German Labour Front] mass-demonstration, for the Nurnberg laws.

Berlin, 5th October

Gauleiter Julius Streicher spoke in Berlin on Friday for the second time within a few weeks. * * *

Often interrupted by tempestuous applause he laid down in effect: "If the misfortunes are to be removed from the world, they must be torn out by the roots; the cause of all misfortune in the world, is after all, due to one people, which for centuries has carried on disorder in all other lands. The Jew has understood how to camouflage himself to such an extent, that even today, in so-called educated circles, there are some who do not understand the Jewish question, and still speak of so-called "decent" Jews. We have therefore, to unmask the Jew, and that is what I have been doing for the past 15 years! (Tempestuous applause.)

If one realizes, the Gauleiter continued, what enormous injury to peoples' property is caused by bastards, one will understand, why National-Socialism on the day of the Reichsparteitag of freedom, has created the law for the safeguarding of German blood and German honour. Is it not our just right to protect the German woman? Just in that way do we justify the culture, which the Jews for the very same reason, dishonestly wish to deny to us. In 100 or 200 years time the German people will have become a new people, just because we have kept from it all strange and bad blood."

PARTIAL TRANSLATION OF DOCUMENT M-35

LEADING ARTICLE IN "DER STUERMER" No. 28, July 1938

* * * But Jewry will be mistaken. It will blunder as it always has done when dealing with National Socialism. In the person of Adolf Hitler an opponent has arisen for which Jewry is no match and by whom it will be beaten again and again. Jewry will not achieve their aim. The "Zionist protocols" might announce triumphantly the "coming world war." Full of hatred, the Jews in Germany might long for the "day of revenge." This wishful thinking of the Jews will not materialize. On the contrary, the great revenge will fall on the Jewish people themselves,

the revenge of fate, the revenge of justice, the revenge of the tortured non-Jewish peoples. The revenge will break loose one day and will exterminate Jewry from the surface of the earth.

Karl Holz.

PARTIAL TRANSLATION OF DOCUMENT M–36

A LEADING ARTICLE IN "DER STUERMER," No. 38, September 1938.

THE GERM

The Jews don't want to go to Madagascar—They cannot bear the climate

Jews are pests and disseminators of diseases. In whatever country they settle and spread themselves out, they produce the same effects as are produced in the human body by germs. And in the same way as the human body defends itself against the intruding germs and tries to expel them, the non-Jewish peoples defend themselves against the intrusion and the spreading of the Jews. The Jew already has penetrated everywhere. Therefore the Jewish problem has become a burning question with all nations. In all nations voices are being raised, asking for the segregation of the Jews from the non-Jewish peoples.

In former times sane people and sane leaders of the peoples made short shrift of enemies of the people. They had them either expelled or killed. Now in our present time the brains of the non-Jews are fogged and infected by "humanitarian" thoughts and so called "philanthropy". This "humanitarian junk" was drummed into the non-Jew's heads by the Jew. If one should speak today about the Jew being an enemy of mankind who ought to be segregated and removed, there would be objections raised from all sides. "That is against the laws of humanity," "After all the Jew is a human being too," "One cannot behave inhumanly towards the Jews", etc. * * *

* * * That is why the "Stuermer" is of the opinion, that the Madagascar problem should be tackled and settled as soon as possible. Then the world will open its eyes in wonder. Then the people will get a practical demonstration of the Jewish questions which will very soon cure them of their ideas of "humanitarian junk." Then the non-Jewish peoples, if they have not entirely lost their wits, will recognize the Jew for what he is. They will recognize that he is not "also a human being," but a germ. A parasite, an enemy, an evil-doer, a disseminator of diseases who must be destroyed in the interest of mankind.

PARTIAL TRANSLATION OF DOCUMENT M-39

LEADING ARTICLE OF SPECIAL ISSUE NO. 8 OF "DER STUERMER", January 1938, Page 13

The supreme aim and highest task of the state is therefore to conserve people, blood, and race. But if this is the supreme task, any crime against this law must be punished with the supreme penalty. The Stuermer takes therefore the view that there are only two punishments for the crime of polluting the race:

1. Penal servitude for life for attempted race pollution.
2. Death for committing race pollution.

PARTIAL TRANSLATION OF DOCUMENT M-40

LEADING ARTICLE OF "STURMER" SPECIAL ISSUE NO. 8
January 1938

"Death penalty for race polluters. The crime against (pure) blood."

Headlines of other articles in same issue

"Jewish race polluters at work."

"Fifteen years old non-Jewess ravaged."

"A dangerous race polluter. He regards German women as fair game for himself."

"The Jewish sanatorium. A Jewish institution for the cultivation of race pollution."

"Rape of a feeble-minded girl."

"The Jewish butler. He steals from his Jewish masters and commits race pollution."

PARTIAL TRANSLATION OF DOCUMENT M-41

A speech by Streicher on 10 Nov. 38 concerning anti-Jewish pogroms Fraenkische Tageszeitung No. 265 dated
11 Nov. 38

* * * That French paper which had the courage to speak the truth, informed us, that the Jewish murderer, when questioned, had stated he had been educated at a school for rabbis in Frankfurt. For 20 years I have been saying to the people of Nurnberg and Frankonia: Whoever goes through a rabbi school, will not be brought up to be a good man but to become a criminal.

From the cradle, the Jew is not being taught, like we are, such texts as, "Thou shalt love your neighbour as thyself," or "If you are smitten on the left cheek, offer then your right one." No, he is told: " With the non-Jew you can do whatever you like." He is even taught that the slaughtering of a non-Jew is an act pleasing to God. For 20 years we have been writing about this in the "Stuermer," for 20 years we have been preaching it throughout the world and we have made millions recognize the truth.

No false pity

But we know that we have in our midst people who take pity on the Jews, people who are not worthy of living in this town, who are not worthy to belong to the people of whom you are a proud part * * *

* * * And I believe, that if a Jew had made an attempt on the life of a prominent personality of Nurnberg, nothing would have prevented the people of Frankonia from solving the Jewish question in Nurnberg once and for all. I believe, that if the Jews were able to do what they liked—as the Jew Hirsch did a few years ago with his time bomb—the workmen of Nurnberg would say:

An eye for an eye, and a tooth for a tooth

But nobody should think that we let these things worry us. We are subordinate to fate, we have passed through 20 years of struggle and look forward to the future with keen zest. We march as experienced people. We want to meet again and again so that we may be enlightened.

Don't forget that this murderer is a Jew. It is the Jew who has on his conscience the murder of Golgatha. These people cannot be a "chosen" people. In future the teachers of Nurnberg have decided to teach to the children, during the religious lessons, only those words which come directly from the mouth of Christ. They refuse to tell the children about a holy people of God.

The Jew slaughtered in one night 75,000 people; when he emigrated from Egypt he killed all the first-born, i.e., a whole future generation of Egyptians. What would have happened if the Jew had succeeded in driving the nations into war against us and if we had lost the war? The Jew, protected by foreign bayonets, would have fallen on us and would have slaughtered and murdered us. Never forget what history has taught us.

PARTIAL TRANSLATION OF DOCUMENT M–42

Report on anti-Jewish pogroms in Nurnberg and Fuerth on 9/10 Nov. 38. Fraenkische Tageszeitung No. 265, dated 11 Nov. 38.

* * * In Nurnberg and Fuerth it resulted in demonstrations by the crowd against the Jewish murderers. These lasted until the early hours of the morning. Far too long had one watched the activities of the Jews in Germany. Not a single hair from their head had been disturbed, they had not been touched. But with the terrible murder of Party member von Rath the patience of the German people was exhausted. The fury of the population against the Jewish murderers had reached its peak and could no longer be restrained, and particularly, when it was observed, that the Jews were sitting and grinning spitefully in their homes, listening to the news over the radio of the death of the German legation-counsellor. This was a act of provocation which could no longer be tolerated. After midnight the excitement of the populace reached its peak and a large crowd marched to the synagogues in Nurnberg and Fuerth and burned these two Jewish buildings, where the murder of Germans had been preached.

The fire-brigades, which had been notified immediately, saw to it that the fire was confined to its original outbreak. The windows of Jewish shopkeepers, who still had not given up hope of selling their junk to the stupid Goims, were smashed. Thanks to the disciplined behaviour of the S.A. men and the police, who had rushed to the scene, there was no plundering.

PARTIAL TRANSLATION OF DOCUMENT M–43

"FRAENKISCHE TAGESZEITUNG" 19 March 1934.

DO NOT BECOME LADIES, BUT REMAIN GERMAN GIRLS AND WOMEN

At a celebration at the Preisslerstrasse, Frankenfuehrer Julius Streicher spoke to the girls at the passing out ceremony after finishing their vocational course.

A celebration, unique of its kind, was experienced on Saturday morning last by the girls of district 7 in the schoolroom of the technical school in the Preisslerstrasse.

* * * Then Julius Streicher spoke about his life and told them about a girl who at one time went to his school and who fell for a Jew and was finished for the rest of her life.

"German girls," the Frankenfuehrer continued, "when you go out into the world you are in great danger. The Jew, to whom according to his laws you are free game, will try to approach you in various ways. Repulse him, stay honest and good. It is not beautiful frocks, lipstick and the powder-box that make you into German women. See that you remain clean spiritually and eventually become good German mothers."

* * * Then Julius Streicher gave a few typical examples of how the Jew carefully plans to break up the lives of the people; how he tries, by raping German women and girls, to lower the level of a race so as to render it unable to offer any resistance and thus helps to establish his world domination.

At the end the Frankenfuehrer requested the girls in a true fatherly manner to come to him whenever they should be in need of help. He would help anybody who is willing to be helped.

PARTIAL TRANSLATION OF DOCUMENT M–44

Report of Streicher's address to 2,000 children at Nurnberg, Christmas 1936, from Fraenkische Tageszeitung, 22nd December 1936

Two thousand children rejoiced with Julius Streicher—The Frankenfuehrer at the Xmas celebrations of the Nurnberg children in the Hercules Hall and the Coliseum.

Nurnberg, 21st. December.

* * * Julius Streicher began to tell them about the Child Christ and God above in Heaven, who then always help, if people are good and have a compassion for the sorrows of their brothers and sisters. The Gauleiter told the little ones of the terrible times after the war, when the Devil dominated mankind. *"Do you know who the Devil is,"* he asked his breathlessly listening audience. "The Jew, the Jew," resounded from a thousand children's voices. Julius Streicher continued:

"Yes, the Jew was the Devil. After the war he took away everything from the people. Distress became worse and worse. The people starved. Even then people prayed, but God could not help, because the people had become so bad. They did everything, which the Jew, the Devil asked them to do. Today everything has changed. Today, people don't do what the Jew wants anymore, today they do what Hitler wants—who of you has seen Hitler yet?" * * * "I have, I have."

All have already seen Hitler, thousands of fingers are raised.

"I believe that," the Gauleiter continued, "you boys and girls from Nurnberg you all have already seen the Fuehrer. And who has seen him, must say: you can see that he has a good heart, therefore God helped him and therefore He helps us all through Hitler. Well, you see; because there are again good people in Germany, God helps us again" * * *

TRANSLATION OF DOCUMENT M–45

LETTER WRITTEN BY BALDUR VON SCHIRACH, REICH YOUTH LEADER, PUBLISHED BY "THE STUERMER"

No. 3, January 1938

"It is the historical merit of the Sturmer to have enlightened the broad masses of our people in a popular way as to the Jewish world danger. The Sturmer is right in refusing to fulfill its task in the tone of the aesthetic drawing room. Jewry has shown no regard for the German people. We have, therefore, no cause to be considerate and to spare our worst enemy. What we fail to do today our youngsters of tomorrow will have to suffer for bitterly. Heil Hitler."

PARTIAL TRANSLATION OF DOCUMENT M–46

Pamphlet "The Jewish question and school instruction" by Municipal School Inspector [Stadtschulrat] Fritz Fink, published and printed by "Der Stuermer," 1937 with a preface by Streicher

Preface

The National Socialist state brought fundamental changes into all spheres of life of the German People.

It has also presented the German teacher with some new tasks. The national socialist state demands that its teachers instruct German children in social questions. As far as the German people is concerned the racial question is a Jewish question. Those who want to teach the child all about the Jew must themselves have a thorough knowledge of the subject. School Inspector Fritz Fink, with his publication "The Jewish Question and schools instruction," will help the teacher in acquiring some knowledge of the subject. He can and is entitled to do this, for he himself has been called upon by circumstances to take part in a struggle which enabled him to gain experience and knowledge concerning Jewish blood and its influence on the German People. Those who take to heart all that has been written with such feeling by Fritz Fink who for many years has been greatly concerned about the German People, will be grateful to the creator of this outwardly insignificant publication.

City of the Reich Party Rallies Nurnberg in the year 1937.

(Sgd) Julius Streicher

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Introduction

"Racial and Jewish questions are the fundamental problems of the national socialist ideology. The solution of these problems will secure the existence of National Socialism and with this the existence of our nation for all time. The enormous significance of the racial question is recognized almost without exception today by all the German people. In order to attain this recognition, our people had to travel through a long road of suffering. In order that the coming generation be spared this suffering, let us, the German educators of our youth, instill in their hearts, from their early childhood, all there is to know about the Jews. No one should be allowed to grow up in the midst of our people without this knowledge of the monstrous character and dangerousness of the Jew." * * *

Knowledge of racial and Jewish questions must grow organically out of our general system of school education. The racial doctrine and the Jewish question must be like a red thread marking the education of all age groups in our school education. There is no subject from which cannot be drawn an unsuspected full measure of valuable knowledge of the Jewish question.

The attached pamphlet, "The Jewish question and School Instruction," was brought out in an urgent desire to show up some of these possibilities.

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"From the ranks of the teachers comes now the question: 'How should we represent the Jew to our pupils?' Only one answer can be given to this question: 'In all his monstrosity, horror and dangerousness.' Such as he is."

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A teacher who has come to a thorough understanding of the Jewish question will make use in his work of the "Stuermer." He reads to the class extracts from an Article which describes how a Jew deceived a peasant etc.

Thus we glide from the purely outward appearance of the Jew to his inner nature. Our fight against the Jew is not for the reason that he is different in body to ourselves. The bodily difference is not the dangerous part of the Jew. We must make it clear to a child that in the strange appearance of a Jew, which is immediately conspicuous to us, lies a soul, which is fundamentally different in all its emotions and manifestations, from our souls. We must point out that the Jew thinks, feels, and behaves in a different manner from ourselves. That his way of thinking, of feeling and of behaviour is diametrically opposed to our morals and our laws."

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Jewry is Criminality

" * * * But the fact, that in deceit, usury, murder, etc. Jews see no crime but consider them as acts pleasing to their God when they are directed against non-Jews—will appear most monstrous to our children. At first it will frighten the children and they will shake their heads incredulously. In the same way as millions of people in Germany scornfully shook their heads when the national socialists and foremost of all the "Stuermer" exposed the criminal methods and criminal laws of the Jews. "But deceit, usury, falsehood are sins." A boy in the class will cry out, "We are forbidden to commit them!" The teacher will ask: "Who forbade you to commit them?" "Our conscience. The laws of the State, God."

But if deceit, usury, falsehood, etc. are not crimes, not sin in the eyes of the Jews, then a Jew must have a different conscience, different laws, and a different God than we have, and thus the teacher and his pupils will suddenly find themselves thoroughly involved in the Jewish question and in its most serious aspect.

The manner in which he (the teacher) pursues the question with the children should make clear to them the fundamental reason for all Jewish acts.

One who has reached this stage of understanding, will inevitably remain an enemy of the Jews all his life and will instill this hatred into his own children.

PARTIAL TRANSLATION OF DOCUMENT M–102

"NATIONAL ZEITUNG," 27th April 1941

A long while ago—it was still before the outbreak of war—Rudolf Hess was once called the "Conscience of the Party." If we ask why the Fuehrer's Deputy was given this undoubtedly honourable title the reason for this is plain to see; there is no phenomenon of our public life which is not the concern of the Fuehrer's Deputy. So enormously many-sided and diverse is his work and sphere of duty that it cannot be outlined in a few words. And it lies in the nature of the obligation laid on the Fuehrer's Deputy that wide publicity hears little of the activity of Rudolf Hess. Few know that many Government measures taken, especially in the sphere of war economy and the party, which meet with such hearty approbation when they are notified publicly * * * can be traced back to the direct initiation of the Fuehrer's Deputy.

PARTIAL TRANSLATION OF DOCUMENT M–103

VOELKISCHER BEOBACHTER, 30 June 1934

"Adolf Hitler's Germany is unshakeable."—Rudolf Hess to the representatives of the foreign Chamber of Commerce.

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The President of the German Industry and Trade Board, Dr. von Renteln, welcomed the guests. Then the Fuehrer's deputy, Reichminister Rudolf Hess, began a speech in which he spoke fully on the following—

"Germany alone shall decide German affairs. * * * All the more however Germany must and can expect the outside world to abstain from any attempt to interfere with the internal affairs of Germany or to influence the development (of affairs) in Germany. * * * If we really determine to make ourselves independent of foreign countries, then we shall do it with the fixity of purpose which distinguishes Germany at all times when she feels herself threatened in the foundation of her existence."

PARTIAL TRANSLATION OF DOCUMENT M–104

FRANKFURTER ZEITUNG, 13 OCTOBER 1936

No Compulsory System, No Marks System, Rudolf Hess on the Food Question

An Appeal to Housewives

HOF. 12th October

On Sunday evening Reichsminister Hess inaugurated a newly-built Adolf Hitler Hall at Hof in the Bavarian Ostmark district. During the festivities Reichsminister Rudolf Hess made a speech, in which he dealt with the problem of supplying the German people with food and the question of standardizing prices for agricultural products in daily use.

According to the report of the "German News Bureau" he then explained in detail: * * *

We are prepared, in the future too—if need be—at times to eat a little less fat, a little less pork, a few eggs less, since we know that this little sacrifice is a sacrifice on the Altar of the Freedom of our People. We know that the foreign exchange which we thereby save expedites the output of armament.

The phrase still holds good today "GUNS instead of Butter!"

PARTIAL TRANSLATION OF DOCUMENT M-105

VOELKISCHER BEOBACHTER, 2 MAY 1941

On the National holiday of the German people, at a solemn meeting of the Reich Chamber of Labour which took place in the Messerschmitt Works in Augsburg, were proclaimed the distinctions bestowed by the Fuehrer, "National Socialist Model Factory" and "Pioneer of Labour."

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The centerpoint of the celebration was the address by the Fuehrer's Deputy, Rudolf Hess, in which he honoured the distinguished merits of the newly nominated Pioneers of Labour.

* * * * * * *

If the Fuehrer—thus Rudolf Hess began his speech—honours in regular sequence on the National holiday of the German people, the representative German undertakings by the bestowal of the Golden Ensign and the distinction National Socialist Model Factory, not only is the National Socialist spirit of the individual industrial combines characterized, but the performances of workers and Managing Directors are publicly honoured before the whole people.

* * * * * * *

The German soldier must understand: for the uniqueness and the abundance of his weapons and of his material, for these he must thank the untiring efforts for many years of Adolf Hitler—but for their uniform reliability and excellence, for these things he must thank the German creators. And the German soldier is as little likely to forget them as the creators will forget his struggle and his victory.

If already by today, at the termination of the fourth German industrial production campaign, continued Rudolf Hess, so many German factories could be distinguished with the Golden Ensign, it is the emblematical pledging of personality to the conception of the National Socialist Industry and the National Socialist industrial combines which has gained this success. Here, as everywhere, it is the strong individual personality which stands as prototype and involves its surroundings with it. We must never forget that it is not the organization or the type of organization, not the essential conception of the undertaking or the industry which is decisive, the decisive factor is personality, the personality of the Managing Director, the personality of the workman. The organization does not create personality, but the creative and productive personalities make for themselves the organization within which they can develop.

PARTIAL TRANSLATION OF DOCUMENT M-107

VOELKISCHER BEOBACHTER, 28 August 1939

Rudolf Hess answers Chamberlain—

"We stand by the Fuehrer's banner, come what will!"

The Fuehrer's deputy again gives proof of England's responsibility.

GRAZ, August 26th.

The 7th Reich session of "Germans abroad", as already reported in another section of this issue, was opened in Graz on Friday evening with a great demonstration on the Trabrennplatz (Racecourse). A culminating point in the proceedings which took place with strong support from the population of Graz was a speech by the Fuehrer's deputy, Reich Minister *Rudolf Hess.*

Rudolf Hess, constantly interrupted with strong applause from the Auslandsdeutschen (German citizens living abroad) as well as fellow countrymen from the district of Styria, who were their hosts, stressed the unexampled forbearance shown by Germany towards Poland, and the *magnanimous offer* of the Fuehrer that had endured peace between Germany and Poland.

An offer that Mr. Chamberlain seems to have forgotten. For he says he has heard nothing of Germany's having tried to solve certain acute present day questions by peaceful discussions. *What else was German offer then if it was not such an attempt?!*

Poland, continued the Fuehrer's deputy, had however not once made the attempt even to negotiate over this offer. On the contrary, it abused Germany, *agitated for war,* demanded new German land as far as beyond the Oder, violated the frontiers again and again, and shot down German transport planes.

The responsibility for Poland's lack of responsibility is England's.

And when, cried Rudolf Hess, "the English Prime Minister speaks of 'alleged' ill-treatment of Germans living in Poland, and when he finds it extraordinary that these statements bear a striking similarity to similar statements last year, we can only say that England's attitude this year has unfortunately also a striking resemblance to her attitude last year! And her attitude this year as last year has been construed as giving license to ill-treat Germans living under foreign nationalities, to plunder their possessions and to drive them out of the country. Go to these refugee camps yourself, Mr. Chamberlain, and you will see with your own eyes and hear with your own ears: it is not a question of 'alleged' ill-treatment—it is a question of *grim reality.*

Here is bloodshed, Mr. Chamberlain! People are being killed! Innocent people are dying! You can see it for yourself. You will then realize the better what you said in your speech, that nothing can arouse so much indignation in a country as the ill-treatment of one's own fellow-countrymen in another land.

The responsibility however (he said) was England's, who spoke of peace, and stirred up war. England, who in all the years had soundly rejected all the Fuehrer's proposals for peace; and not only rejected these proposals, but before and after the Munich agreement built up threat to Germany by arming Czecho-Slovakia. After the Fuehrer had eliminated this seat of conflagration, England induced Poland not to accept the Fuehrer's offer of peace, and to appear as a new threat to Germany from the east.

The more reasons England blares forth as justification of her enmity towards Germany, the less we believe her. There is only one real reason:

Jews and Freemasons want a war against this hated Germany, against the Germany in which they have lost their power.

In spite of all England's efforts she has not succeeded in prevailing upon Soviet Russia to complete the encirclement by the aggressors.

Germany and Soviet Russia have made their contribution to the peace of the world by their Non-aggression and Consultation Pact.

"We Germans", said the Fuehrer's deputy, as he concluded his address which had been received with fervent enthusiasm, "we Germans face the future in a calm and steadfast frame of mind, whatever it may bring us! In former years all that came, both good and bad, was necessary to the life and development of our people. And we believe that it will be so in the future.

We know that everything undertaken against the new Germany and its Fuehrer always turned out *in favour of the new Germany and of the Fuehrer.* So it will be in the future also, for we hold the belief that the Almighty is on the side of Germany and her just cause. For we believe that the Almighty sent us the Fuehrer to save us in our direct need. When we stand by the Fuehrer we carry out the will of Him who sent us the Fuehrer.

We Germans: we stand by the Fuehrer's banner—come what may!

PARTIAL TRANSLATION OF DOCUMENT M-108

SPEECH BY HESS BROADCAST ON FUEHRER'S BIRTHDAY 20th APRIL 1941

The Fuehrer's Deputy, Reichsminister Rudolf Hess broadcast on the morning of the Fuehrer's birthday over the Greater Germany Radio Station, the food wishes of the German people.

The speech ran as follows:

* * * * * * *

In the name of the Homeland and in the name of Germans overseas, may I, my Fuehrer, say with all my heart, in proud acknowledgment that through your leadership the greatest achievements and deeds in their history both in Peace and War have been brought to fulfilment, the People of Greater Germany send you their blessing.

I include therein our thanks for all you have done for us Germans—above all, our thanks that your strong and farsighted leadership has preserved the Homeland from the enemy's intention to annihilate us. Through a series of will—you have given to Germany a respect in the world which a few years ago would have seemed incredible.

COPY OF DOCUMENT M-116

Report on Interview with Herr Hess by Wing Commander the Duke of Hamilton on Sunday, 11th May, 1941.

At dusk on Saturday 10th May while Wing Commander the Duke of Hamilton was on duty in the Turnhouse Sector Operations Rooms an enemy aircraft was plotted off the coast of Northumberland at 2208 hours and made a landfall close to Farne Islands. The Wing Commander received a report from the Observer Corps that the enemy aircraft was an Me. 110, which he thought a mistaken identification as this fighter type of aircraft had only once before been seen as far north as Northumberland (On August 15), and without extra fuel tanks could not make return flight.

The enemy aircraft flew west and at 2256 hours was plotted as flying northeast 3,000′ over Ardrossan. Pilots turned south and then north and again round to west when they finally faded a few miles south of Glasgow at 2307 hours.

Normal action had been taken to intercept and shoot down the enemy aircraft. A few minutes after plots faded on A.A. Site reported that an aircraft had crashed in flames. A Defiant fighter in hot pursuit was approximately 4 miles away and it was with disappointment that the Wing Commander learnt that its guns had not been fired. Later it was reported that the enemy aircraft had crashed two miles from Eaglesham close to the Mearns Road and that it was definitely an Me.110. A German having baled out had been captured.

The German prisoner gave his name as Alfred Horn and stated to the Home Guard and Police that he was on a "special mission" to see the Duke of Hamilton and had intended to land at Dungavel. Where the crash occurred is 12 miles from Dungavel in the constituency of East Renfrewshire, which the Duke of Hamilton represented for over nine years and where he was well known.

On being given this information the Wing Commander arranged to accompany the official Interrogating Officer to the place where the prisoner was confined.

Personal report by Wing Commander the Duke of Hamilton

On Sunday 11th May at 10.00 hours I arrived at Maryhill Barracks with the Interrogating Officer, who first examined the effects of prisoner. These included Leica camera, photographs of himself and small boy and some medicines, also visiting cards of Dr. Karl Haushofer and his son, Dr. Albrecht Haushofer.

I entered the room of the prisoner accompanied by the Interrogating Officer and the Military Officer on guard.

The prisoner, who I had no recollection of ever having seen before, at once requested that I should speak to him alone. I then asked the other officers to withdraw, which they did.

The German opened by saying that he had seen me in Berlin at the Olympic Games in 1936 and that I had lunched in his house. He said, "I do not know if you recognize me but I am Rudolph Hess." He went on to say that he was on a mission of humanity and that the Fuehrer did not want to defeat England and wished to stop fighting. His friend Albrecht Haushofer, had told him that I was an Englishman who, he thought, would understand his (Hess's) point of view. He had consequently tried to arrange a meeting with me in Lisbon (see Haushofer's letter to me dated September 23rd, 1940). Hess went on to say that he had tried to fly to Dungavel and this was the fourth time he had set out, the first time being in December. On the three previous occasions he had turned back owing to bad weather. He had not attempted to make this journey during the time when Britain was gaining victories in Libya, as he thought his mission then might be interpreted as weakness, but now that Germany had gained successes in North Africa and Greece, he was glad to come.

The fact that Reich Minister, Hess, had come to this country in person would, he stated, show his sincerity and Germany's willingness for peace. He went on to say that the Fuehrer was convinced that Germany would win the war, possibly soon but certainly in one, two or three years. He wanted to stop the unnecessary slaughter that would otherwise inevitably take place. He asked me if I could get together leading members of my party to talk over things with a view to making peace proposals. I replied that there was now only one party in this country. He then said he could tell me what Hitler's peace terms would be. First, he would insist on an arrangement whereby our two countries would never go to war again. I questioned him as to how that arrangement could be brought about, and he replied that one of the conditions, of course, is that Britain would give up her traditional policy of always opposing the strongest power in Europe. I then told him that if we made peace now, we would be at war again certainly within two years. He asked why, to which I replied that if a peace agreement was possible the arrangement could have been made before the war started, but since, however, Germany chose war in preference to peace at a time when we were most anxious to preserve peace, I could put forward no hope of a peace agreement now.

He requested me to ask the King to give him "parole", as he had come unarmed and of his own free will.

He further asked me if I could inform his family that he was safe by sending a telegram to Rothacker, Hertzog Stra., 17 Zurich, stating that Alfred Horn was in good health. He also asked that his identity should not be disclosed to the Press.

Throughout the interview, Hess was able to express himself fairly clearly, but he did not properly understand what I was saying and I suggested that I should return with an interpreter and have further conversation with him.

From Press photographs and Albrecht Haushofer's description of Hess, I believed that this prisoner was indeed Hess himself. Until this interview I had not the slightest idea that the invitation in Haushofer's letter to meet him (Haushofer) in Lisbon had any connection at all with Hess.

COPY OF DOCUMENT M-117

RECORD OF AN INTERVIEW WITH HERR RUDOLPH HESS, May 13, 1941

Hess started by saying that he must go back a long way in order to explain the chain of circumstances which had led to his present decision.

Its origin lay in an English book called "England's Foreign Policy under Edward VII." The author of this book, who was an impartial and reputable historian, admitted that from 1904 on England's policy had been to oppose Germany and to back France. In the certain knowledge that this would lead to a conflict with Germany. Thus England was responsible for the war of 1914.

After the war came the Treaty of Versailles and the failure of the British Government to accord to the democratic system in Germany those concessions which would have enabled it to live. Hence the rise of Hitler and National Socialism.

In 1938, Hitler, after exhausting all peaceful means, was compelled to occupy Austria in conformity with the wishes of the Austrian people.

The Czechoslovak crisis was caused by the French determination, expressed by the French Air Minister, Monsieur Cot, to make Czechoslovakia an air base against Germany. It was Hitler's duty to scotch this plot. The intervention of Mr. Chamberlain and the Munich Conference had been a source of great relief to Hitler. About a fortnight after Munich, however, Mr. Chamberlain had publicly declared that he had only agreed to Munich in order to gain time for England's rearmament. Subsequently the British and French Governments had endeavored to arm the rump state of Czechoslovakia against Germany. Herr Hitler could not stand this and acted just as any British Government would have done.

The Polish crisis was caused by England's determination to oppose Germany, the strongest power on the continent. The German Government now knew from captured documents and statements of Poles that the Polish Government would have accepted the German proposals but for the efforts of the British Government to prevent a solution on these lines.

The British designs on Norway justified Hitler's attack on Norway and Denmark; and documents, which proved our intention to invade Germany through Holland and Belgium, justified the attack on the Low Countries.

The conclusion was clear that England was responsible for the present war. After the Polish collapse, Hitler had made a peace offer to France and Britain which had been rejected with scorn. Again, after the collapse of France, he had made another peace offer, and this too had been rejected. There was nothing further for Hitler to do but to pursue the struggle to its logical conclusion.

After this preliminary survey of past history on the lines of Hitler's speech, Herr Hess proceeded to the second part of his discourse, which was intended to prove that Germany must win the war.

He said that German aircraft production was enormous; much larger than that of Great Britain and America combined. The Germans knew all about U.S. production and a good deal about ours. They did not fear U.S. aircraft. Fast training schemes were in hand and the next few months would see a noticeable expansion in the German Air Force. At present numbers of trained pilots and completed machines were not even being used. Losses had been light, far lighter than had been anticipated. Whatever efforts Great Britain might make she would never alter the present proportion between the German and British Air Forces. When, in May last year, Great Britain started bombing Germany, Herr Hitler had believed that this was a momentary aberration; and, with exemplary patience, he had waited, partly so as to spare the world the horrors of unrestricted air warfare, and partly out of a sentimental regard for English culture and English monuments. It was only with the greatest reluctance that, after many weeks of waiting, he had given the order to bomb England.

As regards the Battle of the Atlantic, submarines were now being constructed in large numbers all over Germany. Submarine parts were even being built in occupied territory and the waterways of Germany were being used to transport the parts for assembly on the coast. Along some waterways completed submarines were being delivered to be commissioned. At the same time, crews were being trained on a huge scale. We must, therefore, expect that very shortly we should have to deal with a vastly increased number of submarines, working in co-operation with aircraft against our shipping.

As regards raw materials, Germany had acquired enormous resources in occupied territory. For example, in France alone they had captured thousands of barrels for anti-aircraft guns, which were now being adapted for German anti-aircraft units. Oil and raw materials were available in abundance. The only embarrassing shortage was the shortage of fat, and this was being overcome by various expedients.

Finally, there was not the slightest hope of bringing about a revolution in Germany. Hitler possesses the blindest confidence of the German masses.

The third and shortest part of the discourse was devoted to the reasons which had brought him here and the proposals which he had to make. He said that horrified at the prospect of the prolongation of the struggle, he had come here without the knowledge of Hitler in order to convince responsible persons that since England could not win the war, the wisest course was to make peace now. From a long and intimate knowledge of the Fuehrer which had begun eighteen years ago in the fortress of Landsberg, he could give his word of honor that the Fuehrer had never entertained any designs against the British Empire. Nor has he ever aspired to world domination. He believed that Germany's sphere of interest was in Europe and that any dissipation of Germany's strength beyond Europe's frontiers would be a weakness and would carry with it the seeds of Germany's destruction. Hitler would sincerely regret the collapse of the British Empire. At this point Hess tried to make my flesh creep by emphasizing that the avaricious Americans had fell designs on the Empire. Canada would certainly be incorporated in the U.S.

Reverting to Hitler's attitude, he said that only as recently as May 3rd after his Reichstag speech, Hitler had declared to him that he had no oppressive demands to make of England.

The solution which Herr Hess proposed was that England should give Germany a free hand in Europe, and Germany would give England a completely free hand in the Empire, with the sole reservation that we should return Germany's ex-colonies, which she required as a source of raw materials. I asked, in order to draw him on the subject of Hitler's attitude to Russia, whether he included Russia in Europe or in Asia. He replied "In Asia". I then retorted that under the terms of his proposal, since Germany would only have a free hand in Europe, she would not be at liberty to attack Russia. Herr Hess reacted quickly by remarking that Germany had certain demands to make of Russia which would have to be satisfied, either by negotiation or as the result of a war. He added, however, that there was no foundation for the rumors now being spread that Hitler was contemplating an early attack on Russia.

I then asked about Italian aims and he said that he did not know them. I replied that it was a matter of some importance. He brushed this aside and said that he was sure that Italy's claims would not be excessive. I suggested that Italy scarcely deserved anything, but he begged to differ. Italy had rendered considerable services to Germany, and besides England had compensated defeated nations like Rumania after the last war.

Finally, as we were leaving the room, Herr Hess delivered a parting shot. He had forgotten, he declared, to emphasize that the proposal could only be considered on the understanding that it was negotiated by Germany with an English Government other than the present British Government. Mr. Churchill, who had planned the war since 1936, and his colleagues who had lent themselves to his war policy, were not persons with whom the Fuehrer could negotiate.

The above statement took about two hours and a quarter to make. At intervals I made a mild protest against some of Herr Hess's more ludicrous statements; and I occasionally threw a fly over him in order to induce him to develop a point which seemed of interest. But, in general, I allowed even the most outrageous remarks to pass unanswered, since I realized that argument would be quite fruitless and would certainly have deprived us of our breakfast.

COPY OF DOCUMENT M-118

RECORD OF AN INTERVIEW WITH HERR HESS ON MAY 14, 1941

We started by asking Herr Hess how he was. He replied that he was feeling better. A number of complaints which he had had to make about his treatment had been remedied. In particular he had objected to being under the constant supervision of a private soldier. He also had a number of small requests to make, namely, the loan of certain books including "Three Men in a Boat", the return of his drugs, the return of his camera and a piece of his aeroplane as a souvenir. The Duke of Hamilton said that he would make enquiries as to the possibility of giving him satisfaction on these points.

Herr Hess then passed to an account of his flight. He said he had left Augsberg at 5.45 p.m. and on arrival off the coast of Scotland had found it too light to fly inland. He had then circled for an hour and a half over the North Sea, until he judged that it had become dark enough to cross the coast. He described at length the difficulty he had had in leaving his machine. On two occasions he became unconscious, the second time being after pulling the ripcord of his parachute. He was still unconscious when he reached the ground. He had been very well treated by the farmer on whose land he had come down, but he had been painfully surprised to be lodged in a common cell at Glasgow.

He then passed to political questions. He said that, on reflection, he had omitted to explain that there were two further conditions attached to his peace proposals. First, Germany could not leave Iraq in the lurch. The Iraqis had fought for Germany and Germany would, therefore, have to require us to evacuate Iraq. I observed that this was going considerably beyond the original proposal that German interests should be confined to Europe, but he retorted that, taken as a whole, his proposals were more than fair. The second condition was that the peace agreement should contain a provision for the reciprocal indemnification of British and German nationals, whose property had been expropriated as the result of war.

Herr Hess concluded by saying that he wished to impress on us that Germany must win the war by blockade. We had no conception of the number of submarines now building in Germany. Hitler always did things on a grand scale and devastating submarine war, supported by new types of aircraft, would very shortly succeed in establishing a completely effective blockade of England. It was fruitless for anyone here to imagine that England could capitulate and that the war could be waged from the Empire. It was Hitler's intention, in such an eventuality, to continue the blockade of England, even though the island had capitulated, so that we would have to face the deliberate starvation of the population of these islands. I observed that so far as the actual maintenance of life was concerned, we should probably not require very much shipping, but Herr Hess replied that the German blockade would be so effective that it would not be possible for us to run the blockade even with one or two ships a day.

As we were leaving he said that if conversations were initiated, as he hoped, he trusted that a qualified interpreter would be provided and that the conversations would not be attended by a large number of persons. As a Reich Minister he could not place himself in the position of being a lone individual subjected to a cross fire of comment and questions from a large number of persons.

COPY OF DOCUMENT M-119

RECORD OF A CONVERSATION WITH HERR HESS ON MAY 15TH, 1941

Herr Hess started by making various small complaints and requests. The guard made too much noise at night, might he have certain books etc., etc. I said I would do what I could on all these points.

I then said I had been surprised at his remarks the previous day about Iraq. He replied that he was not acquainted with the details of our relations with or treaty rights in Iraq. All he had meant to say was that since Iraq had fought for Germany, Hitler would have to take account of this fact in any peace settlement.

I then threw a fly over him about Ireland. He said that in all his talks with Hitler, the subject of Ireland had never been mentioned except incidentally. Ireland had done nothing for Germany in this war and it was therefore to be supposed that Hitler would not concern himself in Anglo-Irish relations. We had some little conversation about the difficulty of reconciling the wishes of the South and North and from this we passed to American interest in Ireland and so to America.

On the subject of America Hess took the following line.

1. The Germans reckoned with American intervention and were not afraid of it. They knew all about American aircraft production and the quality of the aircraft. Germany could outbuild England and America combined.

2. Germany had no designs on America. The so-called German peril was a ludicrous figment of imagination. Hitler's interests were European.

3. If we made peace now, America would be furious. America really wanted to inherit the British Empire.

Hess concluded by saying that Hitler really wanted a permanent understanding with us on a basis which preserved the Empire intact. His own flight was intended to give us a chance of opening conversations without loss of prestige. If we rejected this chance, it would be clear proof that we desired no understanding with Germany and Hitler would be entitled—in fact it would be his duty—to destroy us utterly and to keep us after the war in a state of permanent subjection.

If conversations were started, as he hoped, he would like the assistance of:—

Doctor E. Semelbauer, No. 43125 Kurt Maass, No. 44012	Huyton Camp, near Liverpool.

also one German stenographer (from a camp) and one typist. He also hoped he would be told beforehand with whom he would have to negotiate and that it would not be with people who had taken a leading part in the war agitation against Germany.

Generally speaking, it was difficult to get him to talk politics. He thinks he has told me all he has to say and wishes to use me principally as a channel of complaint. In particular he objects to be closely guarded. He says he came here at great risk to himself and having got here safely has no intention of trying to run away or commit suicide.

[Initialled] I.A.K.

PARTIAL TRANSLATION OF DOCUMENT M-120

"GERMAN BASIC HANDBOOK", Part III, Chapter IV, Para. 4, Page 76

The VDA and the Nazi Party.

Under cover of independence, an all-out propaganda campaign, concerning the situation and conditions of German minorities abroad, was launched during the years 1933 to 1938, to prepare the German people by leaflets, pictorial publications, charts, population maps, and bulky volumes, for future aggression. "Every third German lives outside the border", was the most popular slogan. To arrive at this figure it was necessary to include "ten to twelve million overseas Germans in the United States", 2,860,000 in Switzerland, and 250,000 in Luxembourg. The same pamphlet, of which 300,000 copies were distributed, stated with regard to Denmark:—

Denmark: 60,000. Among them 50,000 in the lost North Schleswig. Our racial comrades in lost land. They have to preserve themselves in violent economic and cultural struggles. This is done mainly by the creation of excellent schools and libraries. The VDA's work in the separate areas of North Schleswig has been a great blessing during recent years. The number of German schools rose from 9 to 20; the number of German pupils from 249 to 815; the number of teachers from 17 to 49.

The farce of independence was dropped after the annexation of Austria, and special duties have since been assigned to the VDA in all annexed areas. In December 1938 the famous geopolitician, Professor Haushofer, teacher of Rudolf Hess, was made President of the VDA in place of Steinacher. It was, however, not revealed until January 1944 that for some time SS-Obergruppenfuehrer Verner Lorenz had been the President of the organization. The date of his appointment cannot be established, but it is most probable that Haushofer was ousted after Hess's flight to England.

PARTIAL TRANSLATION OF DOCUMENT M-121

"GERMAN BASIC HANDBOOK", PART III, Chapter IV, para. 5(1), page 77

German Foreign Institute

The Department for Emigration was attached to the Re-emigration Office of the AO. It acted as a labor exchange for German workers seeking employment abroad. Its training school not only trained all future leaders of the AO, of the ethnic groups and of the VDA, but also younger members of the diplomatic and consular services. This department also selected the curricula of the many Schulungslager (indoctrination camps) for Germans abroad, acting as intermediary between the German government, which ran the camps, and persons who attended them. How it served the cause of German espionage can be gathered from a circular letter sent out by the Kameradschaft USA in January 1941 which called for:—

The collection of pictures, photos, handbills, pamphlets, newspaper clippings, and posters of the German national movement in the USA, which began in the spring of 1939, will be continued. The material * * * is to be built up to a complete collection, which later is to be incorporated into the DAI, as well as the central archives of the NSDAP in Munich, as an eternal record of our struggle in the United States.*

The address of the Kameradschaft USA was Stuttgart, Danziger Freiheit 17, which is that of the DAI headquarters.

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*"Mitteilungen der Kameradschaft USA", No. 1, January 1941, page 6. The issue is prefaced by the words: "This communication is confidential. It is intended exclusively for the members of the Comradeship U.S.A. Any violation of this rule will result in the suspension of the circular letter."

PARTIAL TRANSLATION OF DOCUMENT M-122

"GERMAN BASIC HANDBOOK", Part III, Chapter IV, Para. B.1, Page 79

The Problem of German Minorities

Hitler's racial policy and the vast propaganda machine which was unleashed by this multitude of organizations soon became a menace to the whole of Europe. The creation of fifth columns in all states where German colonies or German minorities were settled was not only the work of such organizations as the A.O. or the VDA, but also of the minority leaders. They collaborated (often without the knowledge of most of their members) with the agents of the Gestapo and of German espionage. The cumulative effect of their propaganda, their persuasive arguments, lavish hospitality, bribery and threats, was generally decisive. It was the task of the AO, in conjunction with other German agencies, to disrupt the political forces of countries where there were no German minorities in strength, countries such as Holland, Belgium, Norway and France. It was the task of the German minorities, together with representatives of the AO and forces in opposition to the existing regime (fascist organizations, other non-German minorities), to disrupt the Eastern and South Eastern European states. "One of the main causes of the rapid Polish collapse was the perfection with which the extensive espionage system of the German minority in Poland carried out its functions. Numerous short-wave transmitters kept the German Army Command continually informed," said a leading Swiss military expert.*

PARTIAL TRANSLATION OF DOCUMENT M-153

YEARBOOK OF THE FOREIGN ORGANIZATION [Jahrbuch der AO], 1942.

Article: "Our War Diary" by Landesgruppenleiter WREDE. [This gives an almost day-to-day account of the doings of the German colony in Athens between the date of the invasion of Greece by Germany (6.4.41), when they were interned, and the 27.4.41, when the German army reached Athens.]

"Sunday, 27th April: Swastika on the Acropolis."

I set out immediately, and quickly visited the other quarters. (N.B. where the German colony had been interned), the Philadelphia and the Institute. I enjoined upon the inmates of the house in Academy street that they were to renounce returning home today as well, and that they were to hold themselves in readiness. After all, we did want to help the German troops immediately with our local and linguistic knowledge. Now the moment had come. We must start in immediately. * * *

---

*Colonel Bircher's lecture on the Polish campaign, reported in "Neue Zurcher Zeitung." March 7th 1940.

I returned to our quarters in Academy street. Here things became very active during the midday hours. Soldiers and officers came and went continually. Interpreters and guides were asked for.

Meanwhile I organized the employment of all Party members to do auxiliary service for the armed forces. Soon our boys and girls could be seen riding proud and radiant in their Hitler Youth uniforms beside the German soldiers on motor bicycles and dust-carts.

PARTIAL TRANSLATION OF DOCUMENT M-156

YEARBOOK OF THE FOREIGN ORGANIZATION [Jahrbuch der AO] 1942.

"The Work of the Norway branch of the AO of the NSDAP in the War"

* * * Therefore soon after the outbreak of war in September 1939, the enlargement and extension of the German legation in Oslo, of the consulates in Bergen, Drontheim, Stavanger, Kristiansand, Haugesund, Narvik and Kirkenes, as the official representative of German interests in all spheres, proved to be of primary importance. This enlargement of the Reich agencies resulted in the local organization of the NSDAP in Norway having to increase its field of activity, too, in the same proportion, in order to support the work of the Reich agencies, in particular with Party members and other Germans who had a thorough knowledge of the country and the language.

The choice and appointment of these supplementary collaborators was carried out by the local leader of the organization in close collaboration with the representatives of the Reich. Therefore, from the first moment of the outbreak of war a great number of Party members were taken away from their jobs and employed in the service of the nation and Fatherland. Without any hesitation and without considering their personal interests, their families, their careers or their property, they joined the ranks and devoted themselves body and soul to the new and often dangerous tasks.

And the successful results of their work which was done with all secrecy were revealed when, on the 9th April 1940, German troops landed in Norway and forestalled the planned flank attack of the Allies.

* * * * * * *

* * * The Altmark incident in February 1940, and the way the Norwegian Government and press dealt with it, suddenly showed what a dangerous zone the entire northern part of Europe had already entered as a result of the unscrupulous policy of the Allies. This incident, which, without doubt, was merely a ballon d'essai by the British to find out what the Norwegian reaction to this aggression would be, was the signal for the leaders of the local organization to go ahead with the conscious work of collecting and organizing all the Germans in Norway with still greater determination and very quietly to plan and make preparations for the eventuality of dangerous events in the seemingly neutral North as well.

* * * Already on the 7th April 1940, after the British and French ambassadors had handed in to the Norwegian Government notes concerning the mining of important Norwegian territorial waters, the leaders of the local organization, without any noise or excitement, took all preventive measures in order to be able to cope with any eventuality. According to the task-plan which had been prepared since the outbreak of the war, the leadership of the local organization gave orders on the 7th April for phase one of the state of employment, and every Party member and other Germans took up the post allotted to him according to this plan. * * *

At 9.30 a.m. a guard of honour took up a position in front of the German Embassy and then largish infantry columns came marching smartly into the Drammensveien of Fornebo.

It was up to the local organization to support the fighting troops at first by putting at their disposal Party members who knew the country and the language, to advise and help the military administrative offices in the execution of their tasks of supply, organization and administration.

Late in the afternoon the leader of the Nasjonal Samling, Vidkun Quisling, declared by wireless that he was taking over the government with his men. Liaison personnel, people to find out the state of public opinion, etc. had to be provided.

* * * * * * *

* * * The post and telegraph censorship came forward with a demand for people with a knowledge of all sorts of languages. From fifty to a hundred reliable men and women were required for these purposes alone and most of them were actually produced in a very short time. The general feeling and attitude of the population required continuous checking, as did the wireless and the press.

TRANSLATION OF DOCUMENT M-158

Telegram

(Secret Code V.)

Madrid, 23rd October 1939.
Arrived 23rd October 1939 23. 10 hours.
No. 1654 of 23rd 10.

The Landesgruppenleiter (head of the group in a country) can obtain a very suitable house for accommodating the Landesgruppe including the DAF (German Labour Front), the Ortsgruppe (local group), the Hitler Youth and the German House Madrid, also room available in case of embassy having to spread out, and especially very suitable shut-off room for possible erection of second secret radio sender, which can no longer be housed at the school because of reopening.

Landesgruppenleiter requests me to rent the house through embassy, in which way very considerable tax expenses will be avoided. Have no hesitation, in view of anticipated partial use by embassy as mentioned above. If you are not agreeable I request wire by return.

Please submit also to Gauleiter Bohle.

Stehrer.

6 copies executed
Distribution.

No. 1 to Pers (arb St.) (Personal) (Working Staff)
No. 2 R.A.M. (Reich Foreign Secretary)
No. 3 St. S. (Secretary of State)
No. 4 B.R.A.M.
No. 5 V. St.Pol. (Under Secretary of State (Policy)
No. 6 Dir. Pers. (Director Personal Department)
This is No. ....

Berlin, 5 September 1942

The Minister on the premises

In the enclosure I submit a memorandum dated 19 August 1942 containing the opinion of my collaborator Dr. Markull on the Bormann letter of 23 July.

I should be grateful if you would consider the memorandum as submitted to you personally and return it to me in person, in view of its serious character. The problem raised is so fundamental for our entire policy in the East that I felt obliged to submit it to you.

(signed) Leibbrandt

Draft
5 copies

1st copy

TOP SECRET

Berlin, 19 August 1942

Concerning Bormann's letter

6 copies
1st copy

On 23 July 42 Party Director Bormann sent the Minister a letter which enumerates in 8 paragraphs the principles the Minister is to follow in administering the Occupied Areas in the East. Thereupon the Minister in a message to the Fuehrer dated 11 August 42 explained in detail to what extent these principles are already being put into practice or used as a basis of policy.

Any person reading this correspondence is struck first of all by the complete agreement of concepts. The Minister apparently was particularly concerned about two points: the first relates to the protection of German rule against the pressure of the Slav race, the second to the absolute necessity of simplifying the administration. These are indeed decisive problems of which more will have to be said. For the rest the Minister not only raises no objections against Bormann's principles or even his phraseology; on the contrary he uses them as a basis of his reply and endeavors to show that they are already being put into practice. When, however, Bormann's letter was read out by Captain Zimmermann in a conference of the Department Chiefs, grave concern was shown at once, both on account of the phraseology of the letter and the future conduct of our policy. In order to find out whether this concern is justified, it is best to start from a fiction which will show clearly what the situation is.

I

Let us suppose Bormann's letter were issued to the Reich Commissioners as a ministerial decree. This supposition is by no means unrealistic since the Minister appears to hold identical views. Since the "Ostland" (Baltic area) presents a special case, and since the Ukraine is, or will become, probably the most important region politically, the following discussion will be based mainly on the conditions prevailing in that region.

1. The consequences of a ministerial decree of this kind will be judged best by its effect on those men whose duty it is to put it into practice. The supposed decree would, however, be particularly effective and would influence opinions to a particular degree for reasons which will be discussed below. Imagine the formulas of Bormann's letter translated into the language of a member of the German civil administration, and you will get roughly the following views.

"The Slavs are to work for us. In so far as we don't need them, they may die. Therefore compulsory vaccination and German health services are superfluous. The fertility of the Slavs is undesirable. They may use contraceptives or practice abortion, the more the better. Education is dangerous. It is enough if they can count up to 100. At best an education which produces useful stooges for us is admissible. Every educated person is a future enemy. Religion we leave to them as a means of diversion. As for food they won't get any more than is necessary. We are the masters, we come first.

These sentences are by no means overstatements. On the contrary, they are covered word by word by the spirit and the text of Bormann's letter. Already at this point the question arises whether such a result is desirable in the interests of the Reich. It can hardly be doubted that these views would become known to the Ukrainian people. Similar opinions prevail even today. Those who are familiar with the conditions know that these views coincide, in part verbatim, with the so-called "Fascist viewpoint" as dinned into the masses by Bolshevist propaganda. The political consequences are obvious.

2. But there is no real need to assume a fictitious decree as was done in Paragraph 1. The above mentioned concepts of our role in the East already exist in practice.

The Reich Commissioner for the Ukraine has expounded his views of the Ukrainian people over which he rules in three successive speeches at the opening of the German House on 16 April

42, at the celebration of the Fuehrer's birthday, and at the inauguration of the Party District. He declared on these and several other occasions that this people stood far below us and should be grateful to God that we allow them to stay alive. We had liberated them, in return they must know no other goal except to work for us. There could be no human companionship. A "soft" policy of understanding was out of the question. District Commissioners who maintained good relations with the population were mistrusted by him ipso facto. He would on no account follow the Berlin policy.

Let me supplement these pronouncements briefly by a few phrases, which every visitor and every member of the local civil administration can confirm from his own observation. Taken from day-to-day experience they show particularly clearly how well the soil is prepared for the Bormann letter.

"Strictly speaking, we are here among Negroes" (meeting of the Cultural Department, April 1942)

"The population is just dirty and lazy" (this was the opinion in the winter, in the spring the same people were of the opposite opinion)

"In my area, whoever shows signs of intelligence will be shot" (District Commissioner "Kreisleiter" Becher, Gaiszin)

"We must always endeavor to incite one group against the other" (often repeated especially by the Police)

"All we do is take what we need, the rest can go to the dogs" (statement by economic officials)

"In all unpleasant matters the odium must fall on the Ukrainian department heads" (general administrative maxim)

I may add that for instance "Kreisleiter" Knuth whom the "Gauleiter" still retains, in spite of the gravest accusations against his integrity in business matters, declared in conversation on the Kiev question, that Kiev ought to be depopulated through epidemics. Altogether it would be best if the superfluous part of the population starved to death. When shortly after Tiso's visit, the famous Lavra Monastery was blown up, in spite of being under SS Guard, the same circle thoroughly welcomed the vent, because they erroneously assumed that it would weaken the Ukrainian national spirit, whereas actually the opposite happened.

3. There is, however, no uniformity of opinion in regard to these matters within the Ukraine. One might even say that this

policy is advocated only by Koch's personal entourage and by the colleagues which he has chosen. On the other hand nearly all the Department Chiefs at the Kovno office declare more or less openly that they consider these opinions disastrous and detach themselves from them. It was because he sensed this hostility that the Reich Commissioner told his department chiefs some weeks ago in a conference that there were two groups among them, one frankly working against him, the other doing the same thing secretly.

Finally among the District Commissioners at least 80% oppose the views described above. In many conferences with the General Commissioners they emphasized that the population ought to be treated decently and with understanding, that its cultural gifts were surprisingly high, that its labor efficiency was considerable, that we however were about to throw away a precious stock of gratitude, affection, and confidence. Statements like the following are heard frequently:

> If this policy is continued, there will be a catastrophe.—These sharp practices will attain nothing except to make the Ukrainians hate us. Our position here is already lost, etc.

For the rest the only effect of the false concepts of the Master Race is to relax the discipline of our officials. Thus the report of the Kiev Commissioner General of March 42 reads:

> Regrettably enough there were also greater numbers of offences committed by Germans. It is to be hoped that the work of the law courts will soon succeed in eliminating those elements whose place is not in the occupied areas and in creating a situation where higher standards of general conduct are required from every German in the occupied countries.

4. The above mentioned policy of the Reich Commissioner for the Ukraine is in obvious contrast not only to opinion of 80% of his District Commissioners and specialists, but also to the decrees of the Minister. In the decree of 22 November 41 it is expressly pointed out that the Ukrainians must not be considered, let alone treated as niggers. In the decree of 17 March 42 this order is reiterated more emphatically. The decree of 13 May 42 opposes the opinion that the Ukrainians are not a nation at all, and the false doctrine of the Master race. Yet in spite of efforts lasting for a whole year it was impossible to change the official spirit of the Reich Commissariat for the Ukraine. The majority of the administration leaders place their hopes in the Minister. A ministerial decree conforming to the Bormann letter would be considered by them as evidence of a complete change of policy and would result in deep depression and loss of confidence. This con-

trast of opinion between Minister and Reich Commissioner has become known not only within the Civil Administration, but also in the Supreme Reich Administration. Many officials of other branches have visited the Ukraine as well as the "Ostland". Nearly all of them come home with the conviction that the Minister could not carry through his policy, and that, on the contrary the Reich Commissioners considered the Ministry completely superfluous in view of the position of Governor General Frank.

5. Perhaps one ought to inquire whether there is not in fact an agreement between the policy hitherto pursued and the Bormann letter in the sense that the decrees quoted above and the other instructions of the Ministry are to be understood merely as tactical moves, whereas in fact there is no divergence of opinion. The Minister's reply of 11 August might be considered to point in this direction.

In answer to this it should be pointed out that the Minister knows very well that it is not possible to rearrange a continent of the size of Russia by means of political tactics and by wearing the mask of a liberator, but only by applying a statesmanlike conception appropriate to the political conditions and to the dignity of the Reich. The frequently reiterated demands for a differentiated treatment of the Eastern nations are based on the conviction that these nations, after having been liberated from Bolshevism must, as a matter of course, be given their national and cultural rights. Unless this is presupposed, they could never be expected to foreswear Russian nationalism.

Another reason why the Minister's policy cannot be interpreted merely as a tactical manoeuvre is the inconsistency which this would imply. For in that case the word "liberation" ought never to have been mentioned. No theater should be allowed to stay open, no trade school, no Ukrainian university institute should be allowed to function. No Ukrainian artists, doctors, judges should be brought to Germany to attend course as is happening now.

6. Therefore the situation is this: Although Bormann's letter originates from Field Headquarters, it cannot be issued as a ministerial decree since such a decree would disavow the entire policy hitherto pronounced by the Minister. If his policy were founded upon a far reaching conception, this conception would simply be smashed. If his policy merely pursued a certain tactical line, this too would fail since Koch's opposition has rejected and sabotaged these tactics from the beginning. In this connection it is neces-

sary to point once more to the obvious similarity between the opinions professed by Koch and the instructions given in the Bormann letter. Leaving aside the question whether this similarity is accidental, in any case the result is that Koch's opinion has prevailed over that of the Minister. Judging by previous experience, it cannot be assumed that Bormann's letter will remain for long unknown to the Reich Commissioners, at least in regard to its general tendency. Thus the question arises whether this development is to be allowed to take its course, and whether the matter can be allowed to rest where the report to the Feuhrer of 11 August 1942 left it. Only the Minister himself can decide upon this question. Even so the following considerations are useful: ever since the Ministry was set up on the principle of concentration and unity of leadership, it lost more and more power in striking contrast to that principle. The question of the relationship with the Police, so important in practice, was settled to the disadvantage of the civil administration. Unified leadership in the hands of the District Commissioners was thus dissolved. The higher SS and Police leaders refuse to pay the usual respect to the General Commissioners such as reporting, etc. All technical questions are decided upon by Speer. Agricultural questions are dealt with by a department of the Ministry of Food and by the Office for the Four Year Plan; the same applies to Forestry and Trade. Authority in racial questions is assumed more and more by the Commissioner for the Consolidation of German Nationhood. Nor is there any unity among the authorities in questions of propaganda. It is not surprising in view of this development that the Supreme Reich Administration continue their attacks and try to pry loose one prerogative after the other. Nor is it surprising under these circumstances that in the Berlin Offices it is openly rumored that the Ministry is to be changed into a mere staff organization. This is not the place to enter further into these matters. They may rather serve as a background against which the necessity of a clarification of basic policies stands out all the more sharply. The Ministry for the Occupied Eastern Territories enjoys particular prestige with the public because of the personality at its head. This is not the prestige of an able tactician, or of a reckless tyrant, but the public have rightly confidence in clear-cut spiritual solutions. In the same way the prestige enjoyed by the Ministry from the other Reich Authorities rests specifically on this foundation. The considerations set out above lead perforce to the conclusion that the existence of Bormann's letter constitutes an attack against this foundation. The political line therefore is doubly threatened by the organizational difficulties mentioned above.

II

What has been said so far shows how necessary it is that the situation be clarified; how and when this is to be done, is for the Minister to decide. In his letter of 11 August 1942 he has left open for himself the possibility of a special audience with the Fuehrer. There are, however, several more points which need clarification.

1. Without wishing to criticize in any way the statements of Party Director Bormann it is yet necessary to point out that the working of his letter does not always bring out clearly the importance of the issue at stake. A phrase like "brisk trade in contraceptives" had better not be brought into connection with the name of the Fuehrer. In the same way abrupt phrases like: "vaccination of the non-German population is out of the question", "under no circumstances higher education", "the population must not rise to a higher standard", "under no circumstances German Health Services" would hardly seem to be entirely in keeping with the importance of the historical problems involved. Compared with the dignity of the conception of the German State phrases like these would seem altogether inadmissable as instructions for the German policy in the East.

2. As has been mentioned above, the Reich Commissioner Koch leads an especially strong agitation against the so-called "soft" policy. Any action founded on understanding and on a politically commendable respect for the justified susceptibilities of foreign nationhood is at once denounced from their quarters as weakness and slackening of the "master consciousness". But this attitude leads to the same inconsistencies which were discussed above in Part I, Paragraph 5, in connection with the question of tactics. In the "Voelkischer Beobachter" of 20 August 1942 Koch proudly speaks of the Ukrainians having been furthered in their cultural and intellectual efforts. This shows that even if one starts from his viewpoint, it is impossible to disregard entirely foreign nationhood. The unfortunate "master" complex, however, surrounds even sensible measures with those clouds of mental reservations and tactical insincerity which were characteristic of Czarist policy in regard to non-Russian nations. For the rest, it is entirely incomprehensible why there should be any fear lest we might breed "by any of our measures a master-feeling" in Slav nations. (Bormann letter, Point 5) Surely it goes without saying that no-

body thinks of subjecting even the most russified person of German blood to Ukrainian or Esthonian judicature or police. Nobody knows the German nation better than the Fuehrer. He knows only too well that the German sometimes tends to be all too decent and careless. But he also knows that judging by past experience all the worst instincts are usually aroused by appeals to the master spirit as propagated from Rovno. Certain incidents in the Government General ("Kreishauptmann" von Hirschfeld, Cpt. von Sahla) ought to serve as warning examples. It should be emphatically stressed that the German claim to leadership is a matter of course, and that a continuous, mistrustful overstressing of that claim is only liable to cause breakdowns in personal and political relations.

3. A further important point which needs clarification is constituted by the numerous historical errors on which these various authorities base their opinions. [This paragraph and the following (4) contain historical proof that there is a Ukrainian nation and that it is wrong to speak of a "uniform Slav rabble".]

III

The statements set out above may appear very sharp. They are, however, dictated by concern and duty. [This paragraph contains proposals of policy. Germany ought to rule for the benefit of Europe and not on the principle that the occupied countries are to be exploited for the benefit of Germany alone. The nations in the East should be ruled, but not oppressed. "One can lead only those whom one respects." Proposals for simplification and unification of administration. The letter ends:]

These demands of political philosophy are being realized in a grandiose manner by our Japanese ally in his newly occupied southern districts. The general rules for the administration of Greater Asia which were published a short time ago ("Foreign Policy", July 1942) contain a classic formula for a Reich policy of this kind. The dangers inherent in the character of the Japanese nation such as arrogance, misuse of power, lack of respect for foreign nationhood are exercised by an open challenge by the highest official authority, an act of frankness which gives the impression of supreme self-reliance. The political opinion thus expressed is strikingly similar to the Minister's own concept. The fate of the Reich will depend on whether or not this concept can be realized.

(signed) Dr. M

Received
Times Day Month Year
2 100 16 12 42
from by
Berlin [initials]

[stamped]: Personal Staff, Reichsfuehrer SS
File No. Secret/67

Reich Security Main Office [RSHA]
Communication of Information

Information Communication No. 219, DR BERLIN NUE NO 229793 16 December 42 2100—GR—

To Reichsfuehrer SS
At present: FIELD COMMAND POST
urgent—secret

In connection with the increase in the transfer of labor to the concentration camps, ordered to be completed by 30 Jan 1943, the following procedure may be applied in the Jewish Section.

1. Total number: 45,000 Jews

2. Start of transportation: 11 Jan 1943. End of transportation: 31 Jan 1943 (The Reich railroads are unable to provide special trains for the evacuation during the period from 15 Dec 1942 to 10 Jan 1943 because of the increased traffic of armed forces leave trains.)

3. Composition: The 45,000 Jews are to consist of 30,000 Jews from the district of Byalystock, 10,000 Jews from the ghetto Theresienstadt, 5,000 of whom are Jews fit for work who herefore had been used for smaller jobs required for the ghetto, and 5,000 Jews who are generally incapable of working, also over 60 year old Jews. In order to use this opportunity for reducing the number of inmates now amounting to 48,000, which is too high in the interest of building up the ghetto, I am requesting special authority for this action. As herefore only such Jews would be taken for the evacuation who do not have any particular connections and who are not in possession of any high decorations. 3,000 Jews from the occupied Dutch territories, 2,000 Jews from Berlin—45,000. The figure of 45,000 includes *the invalid* [underlined] appendix (old Jews and children). By use of a practical standard, the screening of the arriving Jews in Auschwitz should yield at least 10,000 to 15,000 *people fit for work* [underlined].

For the chief of the security police & the SD IV B 4 KLEIN A —2093/42 KLEIN G (3910)

signed: Mueller
Lt. Gen. [Gruppenfuehrer] of the SS.

The Reich Leader SS Commissioner for the Consolidation of
German Nationhood

Berlin-Halensee, 15.4.41
Kurfuerstendamm 142/143

Instruction for Internal Use on the Application of the Law concerning Property of Poles of 17.9.1940

1. *Where the Act is to be applied:* The Act is applicable not only within the incorporated areas in the East, but in the entire area of Greater Germany, excluding the General Government of the occupied Polish areas; in the latter area the Decree of the Governor General concerning the Confiscation of Private Property located within the General Government of 24.1.40 (VBLT GG.I No. 6, pp 23 ff.) is applicable.

2. *With regard to which persons it is to be applied:* The act is to be applied with regard to every national of the former Polish State. Alterations of nationality completed after 1.9.1939, as may result for instance from the division of Poland or from naturalization of Poles in enemy or neutral countries are not to be considered. Therefore anyone who was a Polish National on 1.9.1939 is subject to the Act unless the exception of section 1,ss. 2 applies.

3. According to section 1, ss.3, No. a of the Law concerning the List for Repatriation of German Ethnic Groups [Deutsche Volksliste] and the German nationality in the Incorporated Eastern Areas of 4.3.1941 (RGBl.I 118) those stateless persons of non-German race who had their domicile or permanent residence within the frontiers of the former Polish State, are in the same position as nationals of the former Polish State. There is nothing against applying this principle when applying this Act.

* * * * * * *

5. "Where on 1.9.1939 nationals of the former Polish State were at the same time nationals of another state (for instance America) the Act is applicable in principle, but before any action may be taken, there has to be a report to me via the Central Estate Office in order to negotiate an agreement with the Foreign Office or the Custodian of Enemy Property.

6. The important exception in section 1, subs. 2 will permit practical action and especially definitive measures on the basis of the Act only after determination of the race to which the person belongs (see my Decree regarding Races of 12.9.40, the Circular of the Minister for the Interior concerning Acquisition of

German Nationality by former Polish and Danzig Nationals of 19.3.41) (Ie 5125/41).
5000 East)

Regarding the groups III and IV of the "List for the Repatriation of German Ethnic Groups (see my decree of 12.9.40) the law of 4.3.1941 provides despite their incorporation in the List that persons belonging to these two groups acquire German nationality only by individual naturalization. Moreover the persons in Group IV (renegades) when individually naturalized will acquire German nationality only with the provision that it may be revoked. As long as they are not irrevocably naturalized, the exception of section 1 subs. 2 does not apply to them because it presumes that German nationality *has been acquired.* Until this has taken place, i.e. until these persons are irrevocably German nationals, their property is subject to the measures of the Law, concerning Property of Poles.

This possibility though will not be used until further notice since we intend to Germanize the members of these groups as far as possible. More detailed instruction with regard to these groups will be issued later.

7. Section 1, subs. 2 part 2 allows further exceptions to be made with regard to the persons affected. I shall decide upon such exceptions in the individual case.

Ad section 2

1. The provisions of subs. 1 and 2 apply only where the conditions as to personal status set out in section 1 are present as well.

2. The conditions permitting seizure according to section 2, subs. 2 are always present if the property belongs to a Pole. For the Polish real estate will be needed without exception for the consolidation of the German nationhood.

3. The Estate Offices primarily will make use of the possibility to restrict the seizure to parts of the property, since the seizure of real estate is the main task. It is not necessary, therefore, to seize the entire property of a person at once. This is not even desirable in each case since the seizing authority acquires some responsibility by a seizure."

Ad section 4

"Ad section 9

1. In contrast to seizures which have only the character of preparatory measures, confiscation transfers the property in question finally to the German State."

7. Since I reserve for myself any confiscation of real estate (until further notice) I expressly forbid the making of promises as to the subsequent disposition of the real estate which is confiscated, unless I decree differently as the case may be.

Ad section 10

"On treatment of Church Property I shall decide later."

Ad section 14

1. "The rule that the order issued in the particular case has to be put in writing and to be served on the person concerned is obligatory so that the validity of the order depends on compliance with it.

2. On the other hand since compliance with this order would mean considerable trouble for me and my Estate Offices, and may moreover cause unrest among the population, I herewith empower the Estate Offices to replace this service according to section 14 subs. 2 by posting up the decree or by public notice, unless service on the person concerned seems indispensable owing either to the size of the real estate in question or to doubts about the racial status of the person concerned. In applying this surrogate for service there is again to be taken into consideration that unrest among the population, especially among the small holders and peasants has to be carefully avoided."

By Order

(signed) [illegible signature]
SS Brigadefuehrer

Draft

The Superior SS & Police Leader
Danzig-West Prussia
Commissioner of the Reich Commissioner
for the Consolidation of German Nationhood
Estate Office

(Reference No.)

Gdynia, ...19
Count Spee Street 7.

Order of Seizure

According to the Law concerning the Treatment of Property belonging to Nationals of the former Polish State of 17.9.1940

(RGBl. I p.1270) herewith the whole of the agricultural property belonging to the persons named in the enclosed list, especially the agricultural farms and estates specified in that list including all appurtenances are seized for the benefit of the German Reich represented by the Reichsfuehrer SS and Reich Commissioner for the Consolidation of German Nationhood.

This seizure does not invalidate any official administration introduced under section 1 of the law concerning official administration of agricultural or forestry estates in the occupied countries of the East of 12.2.1940 (RGBl I p.355) conducted by the General Administrator (East German Corporation for Estate Administration) or any other authorized administration.

The Chief of the Estate Office

____

signature

[Seal] ____________________

Rank

Note:
Served acc. to section 14 Act of 17.9.40
by public notice

____

Date

____

The Superior SS & Police Leader
Danzig—West Prussia
Commissioner of the Reich Commissioner
for the Consolidation of German Nationhood
Estate Office
(Reference No.)

Gydnia,.............................19........

Confiscation Order

Under sections 9 and 12 of the Law concerning the Treatment of Property belonging to Nationals of the former Polish State of 17.9.1940 (RGBl I p. 370) herewith is confiscated for the benefit of the German Reich represented by the Reich Leader SS-, Reich Commissioner for the Consolidation of German Nationhood, the entire agricultural property, especially the—farm—estate—including all appurtenances of...
(follows name and last domicile)
........................(name of farm) situated at ....(locality)
(no. of farm) (village)
District...

Reasons:

The confiscation of the agricultural estate is necessary for the public benefit, especially for the consolidation of the German Nationhood.

Seizure has been ordered the..
(the property was seized after 5 October, add:)
and the decree has been served to the person affected the..............
Service has been replaced by public notice in the Estate Office (ss. 2, Act 14 of 17.9.1940)

VIII/A8 02—Froe/Zp
Re: Monthly report
Your Ref: —
Encl. — 1 —

31st May

To the Reich Commissioner for the Consolidation of German Nationhood

—Staff Headquarters—Statistics Department

Berlin—Halensee
142/143 Kurfuerstendamm

Enclosed I submit report on our activities for May 1943. The 14,635 schedules concerning 103,598.31 hectares still pending at the Central Estate Office are under the jurisdiction of the Estate Office, Posen.

Altogether 969 schedules comprising 6,725.81 hectares have been transferred to the Register. Besides 197 schedules were treated as concerning A-estates. Owing to corrections received, 6,910 schedules were corrected and the Register changed accordingly. The Registry departments therefore treated in May altogether 8,076 schedules. Moreover a great number of corrections had to be made regarding the racial status, owing to entries in the List for Repatriation of German Ethnic Groups ["Deutsche Volksliste"]: the confiscation decrees when received were entered in the Register, the same applies to reports of the Country Courts on entries in the Lang Register. Where the Estate Offices had corrected their schedules, the entries concerning seizures had to be corrected as well.

By Order

R-92

A8 02—FrOE/Zp

Only for official use

Farms and Estates scheduled, seized, and confiscated by the Estate Offices Danzig-West Prussia, Poznan, Zichenau, Silesia

State of affairs on 31st May 1943

Reported by: Central Estate Office

Estate Office	Listed on questionnaire of Central Estate Office		Transferred to index		Seized		Confiscated		
	Estates	Hectares	Estates	Hectares	Estates	Hectares	Estates	Portion of Estates	Hectares
1.5.1943—31.5.1943									
Danzig-West Prussia	751	8,858.19	654	4,739.43	8	1,316.30	155	–	6,726.81
Poznan	50	675.39	2	4.85	529	920.92	261	2	12,728.29
Zichenau	– 3	– 28.24	273	1,766.98	261	1,503.84	4,869	–1	46,486.55
Silesia	42	–793.03	40	214.55	316	2,794.72	37	29	3,764.50
Total	840	8,712.31	969	6,725.81	1,114	6,535.78	5,322	30	69,706.15

State of affairs on 31.5.1943									
Danzig- West Prussia	131,628	2,130,145.91	129,004	2,123,943.03	91,396	1,441,064.42	531	—	63,303.16
Poznan	404,606	4,036,319.18	377,396	3,463,875.97	342,228	2,893,250.04	1,513	23	91,194.71
Zichenau	141,935	1,654,730.48	140,715	1,614,481.79	119,687	1,197,372.78	5,841	1	63,246.68
Silesia	262,732	1,027,640.58	260,726	1,026,579.37	139,941	565,838.44	1,623	585	52,702.14
Total	940,901	8,848,836.15	907,841	8,228,880.16	693,252	6,097,525.68	9,508	609	270,446.69
To be treated still at Central Estate Office	14,635	103,598.31							
Grand Total	955,536	8,952,434.46							

Copy

C Z I/III b/28.3.40/Goe/Wo. 20th Nov. 1940

Re: How the property of the persons belonging to groups III and IV of the List for repatriation of German Ethnic Groups [Deutsche Volksliste] ought to be dealt with.
[Reported to Reich Leader SS on: 23.2.41]

The Reich Fuehrer SS
Berlin—SW 11
8 Prince Albrecht Street

Reich Fuehrer!

After having issued your carrying-out decree concerning the treatment of the population in the Eastern occupied countries of 12.9.1940, you will find it necessary to issue instructions concerning the treatment of property belonging to persons included in Groups III and IV of the "List for the Repatriation of German Ethnic Groups" and this for the agricultural as well as for the trade sections.

A solution of this problem is becoming more urgent because business establishments and farms which belong to members of Groups IV and V of the list are urgently needed for the use of German resettlers.

In the interest of Germanizing the country as fast and as effectively as possible and of separating from both these groups their property located in the occupied Eastern territories as soon as feasible, my office is of the opinion that real estate situated in the annexed Eastern areas, and belonging to members of Groups III and IV of the List should be expropriated, and this against full compensation to members of Group III, but against compensation which would have to be decided upon in each single case with regard to members of Group IV.

On this basis I have the honor to submit the following proposal for the treatment of property belonging to members of Groups III and IV of the List for your consideration.

I. Treatment of Property of Members of Group III
(Germans who had not resisted Polonisation)

Since the members of this group ought to be fully compensated on principle, I see no objection against allowing them to sell privately their real estate to appropriate corporations or persons. The intention guiding the treatment of these persons ought to be to transfer them to the old Germany. This intention can be realized, as a rule, by police measures or labor restrictions. The Germanization of the country will therefore not be endangered if we first allow the members of this group to liquidate their real estate situated within the annexed areas according to their own wishes. It will be recommendable, though to set them a time limit of about three months during which they are to liquidate their real estate. In case they have not sold their real estate within that time, it would have to be taken into administration by the East German Estate Administration Corporation, and afterwards the Reich Commissioner should confiscate the real estate and decide upon compensation.

In these cases the real estate can be dealt with in the manner set out above under the law concerning appropriation of real estate for the use of the German Armed Forces, provided that this law will have been declared applicable in the annexed areas, owing to the recent alteration of the Feuhrer's decree.

II. Treatment of Group IV of the "Volksliste"
(Renegades)

[pencil note: no compensation]

In view of the principle that the numbers of Group IV are not to receive full compensation, they should not be allowed to sell privately their real estate, nor can the law concerning appropriation of real estate be applied since it provides for full compensation.

My office proposes to expropriate the property of these persons under the law concerning the treatment of property belonging to nationals of the former Polish State of 17.9.40. There is no objection against that since in fact the members of Group IV of the List do not obtain German nationality immediately on their entry onto the List, but are only entitled to hope for a labor naturalization, after having proven their worth.

Now the confiscation under the law of 17.9.40 does not exclude the grant of compensation as such. On the contrary, decision for compensation and the amount for confiscation of property is expressly reserved by section 9, subs. 5 of the Act. There ought to be an administrative decree (which presupposes consent of the Reich Finance Minister) empowering the Reich Commissioner to grant to renegades a partial compensation in money for their confiscated property, the amount of which is to be decided by him at his discretion.

Such a procedure has the following advantages:

a. No new legislation is necessary,

b. This procedure of confiscation is much simpler than expropriation proper,

c. Since the granting of compensation would rest on the discretion of the Reich Commissioner, there could be no competence for the courts to examine and decide upon its appropriateness.

This would allow to treat each one of the renegades according to his behavior in the past.

(signed) Greifelt
SS Brigade Leader

PARTIAL TRANSLATION OF DOCUMENT R-95

Copy

Army High Command

H.Q., Army High Command, 30th March 1941

Army Gen. Staff, Dept. Ops. (I)
No. 540/41 top secret, chiefs only 9000664

Deployment Instructions for "Action 25" and supplementary instruction for action "Marita"

1. The political situation in the Balkans having changed by reason of the Yugoslav military revolt, Yugoslavia has to be considered as an enemy even should it make declarations of loyalty at first.

The Fuehrer and Supreme Commander has decided therefore to destroy Yugoslavia as quickly as possible. For camouflaging purposes the operation shall be called "Action 25".

2. *The intentions of the Army High Command* are to break into Yugoslavia by means of a concentric operation emerging from the area Klagenfurt—Graz and near N. Kanizsa on one side (2nd Army) and from the area near Sofia on the other side (12th Army). General direction should be Belgrade and south of it. By these operations the Yugoslav Army should be destroyed and the southern part of Yugoslavia should be captured as early as possible, so that communications to the Italian army group in Albania can be opened and a basis be created for the continuation of the German-Italian offensive against Greece.

An early opening of traffic on the Danube river and the capture of the copper mines at Bor are of importance for the military economy.

3. *Enemy situation:*

In northern Yugoslavia defensive conduct of war may be expected. The fact that the races there are in opposition to each other may even induce the Yugoslav Command to defend only the Serbian crown lands. In this case numerous efficient bolt-positions may be expected both in Slovene and Croation parts of the country.

It is presumed that the enemy will defend the Eastern border in southern Yugoslavia by means of numerous bolt positions. At the same time he will try to keep his rear free by invading Albania in cooperation with Greek-British forces.

When the German attack succeeds in severing the coherence of the Yugoslav defence by capturing the main roads of communication, the Yugoslav army may be expected to defend itself strongly in the mountain area so long as sufficient ammunition and food are available. The problem of nationalities may play a decisive part with regard to duration and toughness of this resistance.

Details with regard to the enemy situation see enclosure 1.

4. The orders issued with regard to the operations against Greece remain valid so far as not affected by this order. This applies especially to the capture of the islands in the North Aegean sea though the Fuehrer has reserved for himself the issuing of the order to capture the island of Lemnos. The protection of the Turkish border is left to the Bulgarians for the time being. One armored divisions has to be put in readiness as support.

5. *Timetable for the operations.*

a. On 5th April as soon as sufficient forces of the Air Force are available and weather permitting, the Air Forces shall attack continuously by day and night the Yugoslav ground organization and Belgrade.

Simultaneously—by no means earlier—the attack of the 12th Army (except for the North Group, i.e., Armored Group 1) begins against Yugoslavia and Greece.

It should be assured that in case of unfavorable weather the Army High Command (AOK) is able to stop the attack at least 10 hours before the time of the planned air attack.

* * * * * * *

8. *Cooperation of other States:*

a. Cooperation by Italy:

* * * * * * *

b. Cooperation by Hungary: Hungary will participate in the invasion of Yugoslavia.

* * * * * * *

Dividing Lines:

c. Cooperation of Rumania: Active participation of Rumania in the attack on Yugoslavia may not be expected. The Rumanians, however, will strengthen their border protection forces. The main duty of Rumania will be the protection against Russia.

d. Cooperation of Bulgaria: Should Bulgarian forces participate actively in the attack on Yugoslavia, Army High Command 12 has to make the necessary arrangements with the Bulgarian Army Command. Bulgarian forces to be deployed against Yugoslavia are to be subordinated to the German military authorities.

9. *Cooperation of the Air Force:*

No air raids should be made against Croat areas, unless Yugoslav forces in this area are the targets. Army High Command 12 shall cooperate with VIII Air Corps, Army High Command 2 with Air Fleet 4, High Command Air Force will send sufficient anti-aircraft protection from Graz, Klagenfurt, Villach, and Leoben, and from Vienna.

signed von Brauchitsch

PARTIAL TRANSLATION OF DOCUMENT R-96

Copy

The Reich Minister of Justice
9170 Ostgeb. 2IIa 2 996.41

Berlin, 17th April 1941

To the Reich Minister and Chief of the Reich Chancellery
Subject: Penal law against Poles and Jews in the annexed Eastern territories.

Reference: Letter dated 28th November 1940—RK 17 428 B—.
1 enclosure (file notice) to a2—1826.41

It has been my opinion from the outset that the special conditions prevailing in the annexed Eastern territories require special measures of penal law and penal procedure against Poles and Jews. When the special courts were introduced in the Eastern territories by the ordinance of the Commander-in-Chief of the Army, dated 5 September 1939, I immediately endeavoured to make these courts, with their particularly swift and vigorous procedure, a center for the fight against all Polish and Jewish criminality. Proof that I have succeeded in this is provided by the impressive statistical figures of the special courts for the first ten months of their activity in the Eastern territories. Thus, for instance, the special court at Bromberg passed death sentences on 201 defendants and sentences for hard labor for life on 11 defendants; 93 defendants were sentenced to 912 years of hard labor in all, averaging 10 years each. Only minor offences were prosecuted before the "Amtsgerichte" [ordinary lower courts]. The "Strafkammern" [Criminal High Courts] have not been employed so far as possible, because their sentences are subject to appeal [Revision] to the "Reichsgericht" [Highest court of Appeal]. I wished to avoid that any court which is not fully acquainted with the special conditions prevailing in the Eastern territories—and be it the highest court of the Reich—should decide in these matters.

The aim to create a special law for Poles and Jews in the Eastern territories was pursued further according to plan by the ordinance dated 6th June 1940. By this ordinance German Penal Law, which had been used in the Eastern territories already from the outset, was formally made applicable. In the sphere of criminal procedure the obligation to prosecute no longer applies; the public prosecutor instigates prosecutions only in cases where he considers the infliction of penalty to be in the public interest. The procedure for enforcing a prosecution (Art. 172 ff. of the Code for Penal Procedure) has been abrogated. For it seems intolerable that Poles or Jews should be able to force the German public prosecutor to instigate an indictment. Poles and Jews have also been deprived of the right to prosecute in their own names or to join the public prosecutor in an action.

In addition to this special law in the sphere of law procedure some special conditions have been included in Art. II of the introductory ordinance. These provisions were established in agreement with the Reich Minister for the Interior on the basis of needs which had made themselves felt. From the beginning it was intended to augment these special conditions in case of need. This need, which had become apparent in the meantime, was to be met by an executive and supplementary order, which was added to the original ordinance and which was referred to in the letter from the Fuehrer's deputy. This letter also mentioned the ordinances concerning the introduction of the law of extradition and of the law concerning the use of arms by authorized persons in the forest and wild life protection service, which however, are only loosely connected with the criminality of the Poles and Jews and were to serve merely the progress of general adjustment of law in the Eastern territories. As regards these two latter ordinances, as well as the executive ordinance concerning the law for the annulment of penalties and the ordinance concerning the penal register, I shall try to bring about an agreement with the deputy of the Fuehrer.

Later I was informed of the express wish of the Fuehrer that, as a matter of principle, the Poles (and I presume the Jews) are to be treated differently from the Germans within the sphere of Penal Law. After preliminary discussions with the presidents of the high courts of appeal [Oberlandesgerichte] and the presiding public prosecutors of the annexed Eastern territories, I drew up the enclosed draft concerning criminal law and procedure against Poles and Jews within the annexed Eastern territories and within the area of the former Free City of Danzig.

This draft represents an altogether special law both in the sphere of penal law and penal procedure. The suggestions of the deputy of the Fuehrer have been taken into consideration to a far reaching extent. No. 1, par. 3 contains a general crime formula on the basis of which any Pole or Jew in the Eastern territories can in future be prosecuted and any kind of punishment can be inflicted on him for any attitude or action which is considered punishable and is directed against Germandom. This provision is supplemented by No. 1, par. 2 which is already contained in the introductory ordinance, and which threatens the death sentence as the absolute punishment for any act of violence committed against a German because of his belonging to the German race. The cases under No. I, Par. 4, which are already contained in the introductory ordinance, are merely amendments, which perhaps would have been unnecessary in view of the new general crime formula. I have included them nevertheless, in order not to give rise to the erroneous opinion that the limits of criminal liability as defined in this draft are narrower than those of the law hitherto in force. Finally, No. II, makes it clear that, apart from everything a German renders himself liable to punishment. In addition, the regulation permits a far reaching application of the law (Par. 2. of the Penal Code) in tune with the requirements of the Eastern territories.

In accordance with the opinion of the deputy of the Fuehrer I started from the point of view that the Pole is less susceptible to the infliction of ordinary imprisonment. Therefore I had already taken administrative measures with the aim of keeping

Poles and Jews separate from other prisoners and to inflict punishment on them in a more severe manner. No. III goes a step further and replaces imprisonment, viz. the penal camp and the severe penal camps. Under these new kinds of punishment the prisoners are to be lodged outside prisons in camps and are to be forced to do heavy and heaviest labor. Further administrative orders are envisaged, concerning specialities in the sphere of disciplinary punishment (dark cells, transfer from penal camps to severe penal camps etc.)

The new kinds of punishment under No. III are applicable to all offences committed by Poles and Jews, even if the offence falls under a provision of the German Penal Code. On the other hand, No. III, Par. 3, makes sure that less than the minimum period of punishment and less than any obligatory punishment prescribed in any German criminal law may be inflicted if the offence was directed exclusively against the offender's own race.

The section concerning procedure contains first of all special provisions of the introductory ordinance already in force. But in future it will no longer be permissible for a Pole or a Jew, on whom sentence has been passed by a German court, to lodge an appeal against the sentence. He has no right to complain, nor may he apply for a retrial. All sentences should be open to execution at once. In future Poles and Jews may no longer challenge German judges as biased; nor may they be put under oath. The conditions under which measures of compulsion may be used against them have been eased. It is also important that according to No. X Par. 2 the local higher court decides on applications for annulment on technical grounds [Nichtigkeits Beschwerdem]; this will prevent any court not located in the Eastern territories from passing judgment in a case against Jews and Poles. For the rest No. XII gives both the court and the public prosecutor every freedom they can possibly require vis-a-vis the "Gerichtsverfassungsrecht" [law concerning the constitution of the courts] and the Reich Law of Criminal Procedure.

It is the purpose of No. XIII to ensure the applicability of the special laws for Poles and Jews and of the abrogation of prosecution enforcement even in cases, where the Polish or Jewish offender, though domiciled in the Eastern territories, has committed an offence in some other part of the Great German Reich.

A criminal law of this kind directed especially against Poles and Jews would not, in my opinion, restrict the freedom of action of the German authorities and officials; nor would the Poles and Jews take advantage of its issuance by making unjustified accusations or complaints against German officials. The penal law provides threats of punishment of such increased severity that the deterent effect is assured to the strongest degree. Any hole in the law by which a Polish or Jewish criminal might escape, has been closed. As far as criminal procedure is concerned, the draft constitutes a clear expression of the political inequality of Germans on the one hand, and Poles and Jews on the other.

The introduction of corporal punishment, which the deputy of the Fuehrer has brought up for discussion, has not been included in the draft, either as a form of criminal punishment or as a disciplinary punishment. I cannot agree to this type of punishment, because its infliction does not, in my opinion, correspond to the cultural level of the German people.

The main features of the criminal procedure proposed by the draft are greatest speed together with immediate execution of sentences; thus it will not be inferior to the procedure in courts martial. Those administering criminal justice will have the opportunity of inflicting even the heaviest penalties in every suitable case, and thus be able to cooperate actively in realizing the political aims of the Fuehrer in the Eastern territories.

I intend to submit the bill for approval to the Council of Ministers for the Defence of the Reich. Before so doing, I wish, however, to discuss the matter with you, Sir, personally, and to ask you to obtain the decision of the Fuehrer as to whether he agrees to the basic principles of the bill.

signed: Dr. Schlegelberger

Copy

The Reich Minister of Justice
9170 Ostgeb/2—IIa 2–1826.41

Berlin W.8, 30th June 1941

Express Letter

To the Reich Fuehrer SS and Chief of the German Police in the Reich Ministry of the Interior.

Subject: Administration of Criminal Justice in the annexed Eastern territories.

Reference: Letter to the Reich Minister and Chief of Reich Chancellery, dated 16th May 1941—II A 2 (new) No. 127/41 173/1 and the letter addressed to me by the Main Office of

Reich Security, dated 29th May 1941—11 a 2 (new) No. 205|41 —176-7.
2 enclosures.

In the enclosure I transmit the following documents on which I would ask you to give your opinion at an early date:

1. draft of an ordinance concerning the administration of criminal justice against Poles and Jews in the annexed Eastern territories and the area of the former Free City of Danzig;
2. copy of my letter to the Reich Minister and Chief of the Reich Chancellery, dated 17th April 1941—9171 Ostgeb. 2 IIa 2 996/41—giving the reasons for this draft.

The draft has now been supplemented by Article XIII concerning the procedure of courts-martial. This supplementary article is based on a decision of the Fuehrer, of which I was informed through a letter from the Reich Minister and Chief of the Reich Chancellery dated 27 May 1941—Rk 7760 B; according to this decision the Reich Governor in the Reich Gau Wartheland is to be empowered to introduce courts-martial against Poles in his district.

In order to obtain a quick settlement of this urgent matter which is of importance for the war, I should be grateful if a personal discussion could be arranged. I ask for telephone call to fix the time for a conference.

Charged with the conduct of affairs

Reich Main Security Office
II A 2—No. 342|41—170—

Berlin SW 11, 11th July 1941
8 Prinz-Albrecht Street

Copy

Subject matter: Administration of Criminal Justice in annexed Eastern Territories.

1. *Note:*

The ordinance draft, which was sent to us for consideration by the Reich Minister for Justice with a covering letter of 30th June 1941 (pages 161 ff. of the file), was discussed at an informative meeting of the competent officials of the Reich Main Security Office and of the Reich Civil Police Main Office, Reich Fuehrer

SS—Reich Commissioner for the Consolidation of the German Race—took part in the discussions, because the invitation, dated 7th July 1941, arrived late.

The discussion had the following results:

I. The general lines of the provisions of chapter 1 (criminal law) and chapter 2 (criminal procedure) are to be approved. They correspond to the principles followed by the police in dealing with Poles.

It should however, be suggested to the Ministry of Justice to insert in Chapter 2, Paragraph XII, a minimum of legal guarantees for the legal procedure; this might be done by adding to the present version the following sentences:

> "In any case however, the defendant should be granted a hearing, if need be with the help of an interpreter.
> The names of the judges and of the defendant, the evidence on which the sentence is based, and the offence, the sentence with a brief opinion, and the date of the sentence should be taken down in writing in each case."

II. Chapter 3 (procedure under martial law) requires several modifications or clarifications:

1. The Reich Governors (Statthalter) are to be bound not only by the consent of the Reich Minister for Justice, but also by the consent of the Reich Minister of the Interior. This amendment is needed to safeguard the influence the police must have on introduction and procedure of martial law. Under the present provision, which requires only the consent of the Minister of Justice, there is the risk that the intended martial law becomes a martial law under the supervision of the administration of justice and not a martial law for the purposes of the police.

2. The Reich Governors must have authority to declare martial law uniformly for the whole area [Gaue] under their administration. The present wording—Bezirke [districts] does not make it quite clear whether they have such authority.

3. The persons who are subject to the procedure under martial law should be the same as those to whom the other provisions of the ordinance refer. Therefore in Par. XIII Jews as well as Poles must be mentioned.

4. The jurisdiction of the courts-martial as stated in the bill is too narrow. They must be given authority:

a. to pass judgment under martial law on all excesses, not only on more serious ones against Germans, *b.* to pass judgment under martial law, even on minor offences which seriously endanger the German reconstruction work because of their frequency.

The words "more serious" before "excesses" and before "punishable offenses", must therefore be deleted from the draft.

5. Confinement to a concentration camp is, by definition, not a punishment but a measure of precaution. The provision whereby the court acting under martial law may sentence an offender to confinement in a concentration camp must therefore be amended.

The courts acting under martial law need, however, the authority to punish by imprisonment—though in this case it is for the Secret State Police and not for the law administration to carry out the sentence. The present wording of Paragraph XIII, sec. 2 must therefore be changed to read as follows:

"The penalties to be inflicted by the courts acting under martial law are the death penalty or imprisonment (penal camp). The execution of the penalty of imprisonment is the duty of the Secret State Police."

6. It must be made clear whether the Reich Governors are authorized to implement independently the provisions regarding the nomination of judges for the procedure of courts-martial, or whether the Reich Minister for Justice intends to reserve the right to withhold his consent for a declaration of martial law unless the Reich Governors refer to him any steps they take in these matters.

III. The present wording of chapter 4 (extension of jurisdiction and authorization) does not take into consideration that the police is authorized at present to inflict penalties for minor offences of Polish civilian workers within the territory of the Reich. This power is based upon an authorization granted to the Reich Fuehrer SS by the Reich-Marshal. The provision as drafted would therefore mean a deterioration of the legal position of the police in favor of the judiciary.

Provision must therefore be made for one of two alternatives:

a. either the competence of the police as defined hitherto, must be maintained expressly,
b. or martial law must be made applicable to Poles within the whole territory of the Reich.

The latter proposal is preferable because it should be the ultimate goal to make Poles subject to the jurisdiction of the police.

IV. The items mentioned under No. I—III are to be discussed by department II A 2 with the Reich Ministry of Justice. It should be ascertained to what extent the Ministry of Justice is prepared to meet the wishes of the police. Thereafter the draft embodying the final position of the police toward the Reich Minister of Justice is to be submitted to the Reich-Fuehrer SS. The draft is to be signed by all police departments who participate in the discussion.

Copies to

a. Main Office Civil Police, c/o Ministerial Counselor Dr. Daemper,

b. Reich-Fuehrer SS, Reich Commissioner for the Consolidation of the German Race,

c. Office III—III A 3 } of the Reich Main Security Office
d. Office IV—IV D 2 } of the Reich Main Security Office
e. Office V—V A 1 } of the Reich Main Security Office

following my letter of the 7th July 1941—II A 2 No. 205 VIII/41—176–7, for information.
by order:
signed: Neifeind.

[Stamp]

The Reich-Fuehrer SS, Reich Commissioner
for the Consolidation of the German Race
Received: 14th July 1941 4 W
File No.: COI/28R/5th Aug. 1940.

1. Dr. Bilfinger Office II V informs me on enquiry that the draft has been amended by agreement with the Reich-Minister of Justice and has been submitted to SS-Group Fuehrer Wolff for signature. The draft will be forwarded to the Reich-Minister of Justice and will be described as the final opinion of the Police.

We shall receive copy.

2. To be submitted again 19th August.
initialled: 30th July.

Copy

The Reich-Fuehrer SS and
Chief of the German Police in the Reich-Ministry of the Interior
S II A 2 No. 342/41—176.

Berlin SW 11, 1st August 1941
8 Prinz-Albrecht Street

I have no objections against the proposals.

Signed: Dr. Kr 27th Aug.
c—3/1-3

To the Reich Minister for Justice
Berlin, W.8.
Wilhelmstr. 65

Subject Matter: Administration of Criminal Justice in the Annexed Eastern Territories.

Reference: Express letter dated 30th June 1941—9170 Ostgeb/2-II a 2 1826.41

With reference to the discussion held by our respective officials on 14 July 1941, I wish to make the following comments on the draft you have submitted:

Generally I agree to the draft and welcome the special conditions to which Poles and Jews are to be subject both with regard to criminal law and criminal procedure. The reintroduction of martial law in the annexed Eastern Territories conforms with the wishes I have expressed several times.

I request you, however, to take into consideration the following specific points:

1. According to Paragraph XII the procedure is to be arranged by the court and the public prosecutor as they think fit in consideration of their duty. On principle I agree with this. However, in the earlier draft for a court-martial procedure which was worked out with your collaboration, a minimum of legal guarantees was provided for. This I would like to see preserved in future also. The present wording of Paragraph XII would result in an unusual situation whereby the rules for ordinary procedure would be less stringent than those for the procedure under martial law. Therefore, please amend the wording of Paragraph XII accordingly.

2. In Paragraph XIII (procedure under martial law) please provide for the consent of the Reich Minister of the Interior in addition to consent of the Reich Minister of Justice.

3. During the discussion of the bill by the officials concerned, it became clear that the Reich-Governors [Reichsstatthalter] should be authorized to declare martial law for any parts of their area as well as for the whole of their area. The present wording is open to doubt, I propose therefore the following wording:

" * * * for the area of his administration or specified parts thereof".

4. Although it may safely be assumed that in the future there will be no more Jews in the annexed Eastern territories, I am of the opinion that under present circumstances it is very urgent to provide martial law not only for Poles but for Jews as well. Therefore please insert in Paragraph XIII after the word "Poles" the words "and Jews".

5. Concerning the clause "and for other more serious offences which gravely endanger the German reconstruction work", please delete the word "more serious" so that martial law may be applied also to those cases which in themselves are not particularly serious but which might become a serious danger to the German reconstruction work because of their frequency, (e. g. smuggling), and which urgently require immediate and draconic action for purposes of intimidation.

6. So far, the Secret State Police alone imposes protective custody. Furthermore, protective custody is by definition not a punishment but a measure of precaution and education. Therefore please amend section 2 of Paragraph XIII to read perhaps as follows:

"The penalty to be inflicted by the courts under martial law is the death penalty. The courts proceeding under martial law may, however, dispense with punishment and order transfer to the Secret State Police instead."

In this way due consideration would be given to the wishes of the Fuehrer and the aforementioned difficulties of terminology would be avoided.

7. I agree also to the extension of jurisdiction as provided in Paragraph XIV. But as you know, Reich-Marshal Goering, in his ordinance of 8 March 1940, has delegated to me the responsibility for the proper conduct of the Poles. He has authorized me to issue the legal and executive provisions necessary for this purpose. I have made use of this authorization by issuing

the ordinances dated 8 March 1940—S IV D 2 No. 382/40—and 3 September 1940—S IV D 2 No. 3382/40. These ordinances are also known to you. The present wording of Paragraph XIV does not make it quite clear whether this arrangement will remain unaffected. I note that the draft is not intended to bring about any change in this arrangement; I consider it necessary nevertheless, to make it quite clear by means of a brief remark in Paragraph XIV, that the aforementioned authorization granted to me by Reich-Marshal Goering and the ordinances issued by me remain unaffected.

By order:

Signed: Heydrich.

Reich Main Security Office
II A 2 No. 342/41—176— Berlin, the 11th August 1941
Copy
to Reichs-Fuehrer SS—Reich-Commissioner for the
Consolidation of the German Race c/o attorney
Dr. Kraeuter—or his deputy—in Berlin
By order:

Signed: Neifeind.

Certified (signed) Heybutzki, secretary.

Stamp of:
The Reich-Fuehrer SS and Chief of the German Police in the Reich-Ministry of the Interior.
The Chief of the Security Police and the SD (Security-Service).

Stamp of:
The Reich-Fuehrer SS, Reich Commissioner for the Consolidation of the German Race. B
Received: 14th August 1941.
File No: C—3/1/—3/1st Aug. 1941.

Submitted to Dr. Kraeuter for action 15 Aug. [initials].

TRANSLATION OF DOCUMENT R-100

Information given to the Supreme Commander of the Army [Von Brauchitsch] by the Fuehrer on 25 March 1939.

Danzig Problem.

L. [Lipski?] will return from Warsaw on Sunday, 26 March. He was commissioned to ask whether Poland would be prepared to come to some terms with regard to Danzig. The Fuehrer left Berlin during the night of 25 March; he does not wish to be here when L. returns. R. (Ribbentrop) shall negotiate at first. The Fuehrer does *not* wish, *though,* to solve the Danzig problem by the use of force. He would not like to drive Poland into the arms of Gt. Britain by doing so.

A military occupation of Danzig would have to be taken into consideration only if L. gives a hint that the Polish Government could not take the responsibility toward their own people to cede Danzig voluntarily and the solution would be made easier for them by a fait accompli.

Problem Poland.

For the time being, the Fuehrer does not intend to solve the Polish question. However, it should now be worked on. A solution in the near future would have to be based on especially favorable political conditions. In that case Poland shall be knocked down so completely that it need not be taken into account as a political factor for the next decades. The Fuehrer has in mind as such a solution a borderline advanced from the Eastern border of East-Prussia to the Eastern tip of Upper Silesia. Evacuation and resettlement are questions that remain open. The Fuehrer does *not* want to go into the Ukraine. Possibly one could establish a Ukrainian State. But these questions also remain open.

Slovak question.

How long the Fuehrer considers himself bound by the Treaty concluded with Slovakia is open to doubt. The Supreme Commander of the Army has the impression as if the Fuehrer wanted to free himself of this obligation when the time comes, and that he will use Slovakia as an asset for bargaining between himself, Poland and Hungary. For the time being, however, brakes should be put on Hungary.

The Fuehrer agrees to the border line proposed (line of the river Waag). In case Slovakia should be divided, the eastern border (line of the Neutra river) should be the border, including Bratislava. For Bratislava possibly a plebiscite; the Fuehrer does not expect difficulties because the town is not tending toward Hungary.

Engerau shall become a permanent Garrison.

Col. Gen. Keitel shall inform Slovak Government via Foreign Office that it would not be allowed to keep or garrison armed

Slovak units (Hlinka Guards) on this side of the border formed by the river Waag. They shall be transferred to the new Slovak territory. Hlinka Guards should be disarmed.

Slovakia shall be requested via Foreign Office to deliver to us against payment any arms we want and which are still kept in Slovakia. This request is to be based upon agreement made between Army and Czech troops. For this payment these millions should be used which we will pour anyhow into Slovakia.

Czech Protectorate.

H. Gr. [translator's note: probably Army groups] shall be asked again whether the request shall be repeated again for the delivery of all arms within a stated time limit and under the threat of severe penalties.

We take all war material of former Czechoslovakia *without* paying for it. The guns bought by contract before 15 February though shall be paid for.

Officers of the Czech Army shall be cared for. This has to be done in accordance with the discussions between General Reinecke, Colonels Wagner and Burgsdorf of the Supreme Command of the Army. The pensions shall warrant a good standard of life, so as to prevent discontent. Maybe we shall take over the payment of the pensions or of a *part* of them—so to speak as instalment on the captured war loot. Negotiations should be conducted on this basis.

The problems should be solved, at least on general lines, *before* the cession of the executive power. Supreme Command of the Army has proposed the limit of 6 April for the cession of executive. Fuehrer agrees.

H. [translator's note: Hacha] shall be requested to change his residence, to a place where he can do no harm. The respective request, though, is to come from Hacha.

If the Czechs intend to establish a labor service, the problem should be dealt with in a dilatory manner. The Czech people should not be strengthened by such concentrations. The settlement of this question falls under German jurisdiction.

A certain financial sovereignty shall be granted to the Czech State; maybe similar to that of Bavaria in former times. Fuehrer does not yet see way clear with regard to the adjustment of debts. Conversion into mark will be made in due time.

Bohemia-Moravia have to make annual contributions to the

German treasury. Their amount shall be fixed on the basis of the expenses earmarked formerly for the Czech Army.

Fuehrer does not object to the removal of the military forces after disarmament has been completed. He should not like, though, to prejudice the Polish problem which is not yet cleared up.

He wishes to be asked again with regard to this on Monday.

At the time when Neurath takes over, there should be a few more troops than shall remain permanently. He assents, therefore, to dislocation.

Fuehrer will have a talk with Friderici ? etc., Supreme Commander of the Army, before Neurath takes over.

England—France.

Relations seems to have cooled off a bit because France perceived that Gt. Britain intends to harness her to her own wagon.

Gt. Britain is said to have told France she should comply with the Italian desires regarding the Mediterranean.

Balkans.

Fuehrer wishes to make armament deals with the Balkan countries. But only against payment in foreign exchange or goods of similar currency value. Becker shall report on equalization of calibres and Skoda. (Original has been written by hand by Lt. Col. Siewert, first General Staff Officer).

Correctness certified:
Signed [illegible] Col. of the General Staff.

Ko/4/16.1.40
Berlin S.W.68, April 5th 1940
103 Wilhelmstreet

The Chief of the Security Police and of the Security Service SS
II B 3-II. 1131-C.42-21 Tr./Is
Please mention the Ref. Nr. and date when replying
To The Reich Commissioner for the consolidation of German Folkdom
c/o SS-Brig.Ldr.Griefelt
Berlin Halensee
142 Kurfuerstendamm

Subject: Expropriation of property owned by Churches and Monasteries for the purpose of resettling persons of German race.

Ref: Letter of 16 Jan. 40 C II 2-Dr.W/Sa
Encl: 3 files, 1 list, copy of a letter, plans of buildings.

Enclosed I submit for your information, copy of a letter addressed by the Chief of Security Police and Security Service to the Reich Leader SS and Chief of the German Police on 21 Feb. 1940. The Reich Leader SS has agreed to the proposals made in the enclosed letter and has ordered the matter to be dealt with by collaboration between the Chief of the Security Police and Security Service and your office. The measures agreed upon are to be carried out by means of the law concerning Appropriation of Real Estate for the use of the German Forces [Wehrleistungsgesetz] under the heading "The Reich Commissioner for the Consolidation of German Folkdom". In regard to Par. 4. of the enclosed letter the Reich Leader has made the marginal comment "Very Good". Furthermore I submit 3 files with detailed material on the Church property in question.

Would you please get in touch with my office, after having read the files, so that further measures can be taken in hand.

By Order
[Signed] Six
"Standartenfuehrer SS"

COPY

Berlin SW 11, 21 Feb. 1940
Prinz-Albrecht-Street 8

The Chief of Security Police and the SD
II B 3 II 1131
C,42-21
Personal!

TO: Reichsfuehrer SS and Chief of the German Police Berlin SW 11, Prinz-Albrecht Street 8.

Subject: Expropriation of Churches and Monastaries for the Accommodation of Racial Germans.

Reference: Letter of the Reich Commissioner for the Consolidation of German Folkdom. C II 2—Dr W/Su of 16.1.1940

Enclosures: 3 files, 1 list.

Enclosed is a list of church possessions which might be available for the accommodation of Racial Germans. The list, which please return, is supplemented by correspondence and illustrated material pertinent to the subject.

For political reasons, expropriation without indemnity of the entire property of the churches and religious orders will hardly be possible at this time.

Expropriation with indemnity or in return for assignment of other lands and grounds will be even less possible.

It is therefore suggested that the respective authorities of the Orders be instructed that they make available the monasteries concerned for the accommodation of Racial Germans and remove their own members to other less populous monasteries.

[Marginal note in pencil opposite this paragraph: "Very Good"]

The final expropriation of these properties thus placed at our disposal can then be carried out step by step in course of time.

It is suggested that the help of the Reich Union for Folk Welfare and Resettlement Aid be enlisted for the detailed work; that organization has at its disposal an appropriate number of experts trained in this field.

[Marginal note in pencil opposite this paragraph: Chief is Sturmbannfuehrer Dr. Roehrich! Take care!]

(signed) Heydrich
SS-Gruppenfuehrer

Appended are:

List of items submitted to the Reichsfuehrer SS in the original.

Concerning determination of suitable monasteries for the housing of Teachers' colleges.

(follows: list of documents pertaining to monasteries by localities: 1) Frankfurt on Main, etc. to 18)

Concerning accommodation for Baltic Germans who cannot be used for work

[follows: list of documents pertaining to monasteries by localities: 19) to 21)

TRANSLATION OF DOCUMENT R-101-B

COPY

The Reich Leader SS and Chief of the German Police
Berlin SW 11, 31 October 1940
8 Prince Albrecht-Street

S-IV A 4 a—1170/40

SPECIAL DELIVERY LETTER

To the Commissioner for the Four-Year-Plan
c/o Burgomaster, Main Trustee Office (East) Dr. Winkler
Berlin W.9
28 Potsdamer-Street

Subject: Treatment of Church Property in the incorporated Eastern countries.

Ref: Your Special Delivery letter of 10 Sept. 1940—Dr. H. A./Roe-Va/A 2 1821

Dear Party Comrade Dr. Winkler,

I, too, am of the opinion that in accordance with the rules governing the work of the Main Trustee Office East, all Polish property must be confiscated. As I already pointed out to your office in my letter of 10 March 1940—my ref. IA 3-2031/40-212-, it is considered absolutely necessary and desirable from the viewpoint of the Security Police, to seize also the property owned by the Catholic and Protestant Churches in the incorporated areas. I have no hesitation to use a very severe yard stick in this matter and to make as few exceptions as possible, especially since in the meantime conditions in the field of foreign relations have changed fundamentally, and at the same time conditions in the incorporated countries have calmed down to a certain extent.

In particular, I hold the view that in carrying out the confiscations no difference should be made between the property of the United, Evangelical-Lutheran and Catholic Churches. It may be correct that most racial Germans were members of the United Church as distinct from the Catholic Church and the Evangelical-Lutheran Church, led by Bishop Bursche; on the other hand, a special treatment of the United church would only lead to appeals and to dicussions which are undesirable generally as well as from the point of view of church policy. For the same reason I do not think it is feasible to exempt Church property and church installations, the administration of which has in the meantime been transferred to Germans.

As to the question to what extent Churches, Chapels, cemeteries and official residences of ministers still officiating should be confiscated, I consider that those premises which are still used for divine service should be exempted, whereas all other premises, e.g. churches no longer in use should be confiscated. In particular I consider it necessary to confiscate all cemeteries; this will make it possible to initiate quickly the proposed policy of making cemeteries undenominational and of transferring them to communal ownership.

I am unable to share your apprehensions lest an extended seizure of church property might deprive the ministers still officiating of their subsistence.

I would point out, that in the "Warthegau", the largest district in the incorporated Eastern area, the Church Tax Law has since been introduced, so that the ministers are enabled, in accordance with the purpose of that law, to meet their expenses from the Church Taxes received. A simliar Law is in preparation for Danzig-West Prussia so that there, too, the subsistence of the ministers will be assured. For the rest the ministers have all kinds of incidental revenues such as christening, burial and mass fees, so that there need be no fear of their suffering distress. Lastly, the Reich Church Minister has, as far as I know, earmarked considerable sums for the subsistence of ministers in the incorporated Eastern areas. He therefore should have no difficulties in allowing the ministers in the district Danzig-West Prussia and in the annexed parts of Upper Silesia, appropriate relief or salaries, until such time as the Church Tax Law is introduced there.

Finally, I wish to remark that I, too, am of the opinion that the proposed confiscations will have to be carried out by your office. If in certain cases confiscations should have been effected in the meantime by the Police or by District Presidents (Landraete), it was probably a question of preliminary seizures of premises for the use of returning Germans; such measures should not be considered confiscations in the proper sense.

I should be grateful if you will keep me informed of further developments in the matter.

Heil Hitler!
Yours sincerely,
(signed) H. HIMMLER

TRANSLATION OF DOCUMENT R-101-C

[Rubber stamp:]
Submit again: 15 August, 1 Sept.

July 30th 1941

C-6/6/10.2.40

Subject: Treatment of Church Property in the incorporated Eastern areas
Reference: Letter of this office of 31 May 1941
Encl: Nil
To Reich Leader SS.
Berlin SW 11
8 Prince-Albrecht-Street

Reich Leader!

Further, to the report of 30 May 1941, this office considers it its duty to call the Reich Leader's attention to the development which is currently taking place in the incorporated Eastern countries with regard to seizure and confiscation of Church property.

As soon as the Reich Laws on expropriation had been introduced, the Reich Governor and Gauleiter in the Wartheland adopted the practice of expropriating real estate belonging to churches, for use as dwellings. He grants compensation to the extent of the assessed value and pays the equivalent amount into blocked accounts.

Moreover the East German Estate Administration Limited [Ostdeutsche Landbewirtschaftungs-Ges.m.b.H.] reports that in the "Warthegau" all real estate owned by the churches is being claimed by the local Gau administration [Gauselbstverwaltung].

As already reported, the Main Trustee Office East has ordered and carried out the confiscation of Church property on their own sector. Although the Main Trustee Office has taken care, wherever possible, to avoid touching agricultural Church property, the fact that the Trustee Offices carry out confiscations, while the Land Offices [Bodenaemter] have so far remained completely passive in accordance with their orders, inevitably leads to frictions, encroachments and disagreements in practice.

This office, therefore ventures to apply for a ruling as to how Church property in the Incorporated Eastern Areas is to be dealt with.

By Order
[signature illegible]
"SS-Standardtenfuehrer"
[initials]

TRANSLATION OF DOCUMENT R-101-D

C-8/2/30.12/39 Wir/Wi

March 30th 1942.

[in pencil]

Send at once to

[follows illegible initial]

[rubber stamp]
Submit again

Subject: Confiscation of premises, especially monasteries and ecclesiastical institutions for the housing of re-settlers.
Ref: My letter of 17 Dec. 1940
Your letter of 7 Jan. 1941, Ref. No. AH/1240/289
To Reich Leader SS
Berlin S.W.11.
8 Prince-Albrecht Street.

Reich Leader!

Immediately upon receipt of your letter of 7 January 1941, this office stopped all payments of rent to those monasteries and ecclesiastical institutions, whose premises had been put to use as camps for resettlers, and this even in cases where the Repatriation Department [Volksdeutsche Mittelstelle] had in the meantime concluded leases with the owners in question.

By agreement with the Main Security Office SS [Reichssicherheitshauptamt], I simultaneously entered into discussions with the Reich Minister for the Interior, in order to induce him to supplement the law concerning Appropriation of Real Estate for the Use of the Forces [Reichsleistungsgesetz], by issuing executive instructions on the compensation question, which would make it possible to seize ecclesiastical premises without compensation.

After further preparations in which the Party Chancellery participated prominently, the Reich Minister of the Interior found a way which makes it possible to seize ecclesiastical premises practically without compensation, and yet avoids the impression of being a measure directed against the Church. In fact, the Reich Minister of the Interior intended to apply to these ecclesiastical objects a decree, issued by him on 26 April 1940 with regard to public buildings owned by communes or other public corporations. This decree merely provided, that the public corporations concerned, should be compensated for current expenses (light and water charges, etc.) and certain losses of revenue, while it would be up to the public corporations themselves to bear the remaining charges on the estate, such as interest on mortgages, taxes, etc. It was to be stated, for the sake of external appearance, that this decree had been intended to apply to all premises "which were not used for the purpose of making profits."

This way of dealing with the matter, which would have been acceptable from the view-point of church policy, was however, violently opposed by the High Command of the Forces. As a matter of principle, executive instructions to the "Wehrleistungsgesetz" may be issued only with the approval of the High Command.

As far as is known, the High Command based its opposition primarily on the contention that if the Decree of 26 April 1940, which was originally intended to apply only to communes, were applied to church property without restriction, this would inevitably bring about the financial collapse of the ecclesiastical institutions concerned. This conclusion was indeed correct; if the ecclesiastical institutions are paid no real rent or other compensation for the use of their premises, while at the same time they are not relieved of their obligation to pay interest on mortgages, rates, repairs, etc., these institutions must collapse financially. Moveover, the High Command is said to have stated, that it was most undesirable at the moment to discontinue suddenly the hitherto magnanimous practice of the Forces in regard to compensation. The Forces—in contrast to this office—had hitherto paid rent to church institutions just as to other owners of private premises, which they had taken over. The rent was computed on the basis of the floor space of the premises concerned.

The latest development in these discussions between the High Command on the one side, and the Party Chancellery and the Reich Minister of the Interior on the other, is said to be this: The respective officials in charge of the matter have reported on the differences of opinion to General Reinecke on the one side, and Party Director Bormann on the other. Allegedly, the intention is that Gen. Reinecke and Party Director Bormann ask the Fuehrer for his decision in this matter.

This office considers it pertinent to inform the Reich Leader SS of these developments, and to request him to use his influence, if possible, in order to bring about as quickly as possible a ruling conforming with the wishes of the Party Chancellery.

Since the decision on this problem has been delayed already for more than a year, this office has encountered certain difficulties in dealing with the numerous pending cases of confiscation. The ecclesiastical institutions rightly point out, that the Forces make no objection to paying rent, whereas the "Volksdeutsche Mittelstelle", as well as this office refuse the payment of rent in every instance. Above all, owing to the fact that this office has until now strictly refused any payment, there has been in recent months an increasing number of instances, where communes and District Presidents have applied to us directly for their tax claims, while tradesmen have submitted to us their bills, and mortgage creditors their interest claims; all these persons, as well as the evacuated inmates of Church Asylums etc. complain that the stoppage of all rent payments by this office has deprived them of their rightful claims.

In some cases, church institutions have already started lawsuits against the Reich (as represented by this office) in the Berlin District Court and in other courts in the Reich. In one of these cases, judgment was passed in favor of the Reich. In other cases, the outcome is doubtful. One of the plaintiffs is Cardinal-Archbishop Bertram of Breslau, who puts forward a claim for rent ceded to him for this purpose by the Annaheim Convent of St. Annaberg, since dissolved by the State Police. In this case, prompt action by the State Police, which, unfortunately is not possible everywhere, will probably have the effect of the Archbishop's case being dismissed.

Assuming that it may be a long time before a final settlement is reached, the officials charged with this matter in the respective offices, including the representative of the Party Chancellery, have made a proposal, which may be acceptable as an interim solution; according to this proposal, the ecclesiastical institutions would, for the time being, be paid amounts corresponding to the current charges on the premises (mortgage interests, taxes etc.) By receiving these moneys, the churches would make no profit. It might be laid down, moreover, that these payments must never be made to the ecclesiastical institutions themselves, but direct from here to the creditors, and might be made a condition of payment, that mortgage creditors cede to this office their claims for interest against the churches concerned. Indirectly, it would still be some relief for the churches if their obligations were taken over.

Although such a solution may not be altogether satisfactory from the point of view of church policy, it may yet help to calm down for the moment the anxiety among the non-clerical circles which are indirectly involved. It is through these repercussions, that the greatest amount of annoyance is caused to those who have to deal with these matters. Furthermore, it might be worth considering, whether the special treatment ordered by the Reich Leader SS, should not be confined to those church institutions proper which never have served profitable purposes, and which, therefore have no right whatsoever to derive any gains from measures dictated by military necessity. Such an arrangement would be in line with the basic idea of the settlement originally worked out by the Party Chancellery and by the Reich Minister of the Interior. The result of this limitation would be, that rent could be paid, in accordance with the general rules of the "Reichsleistungsgesetz", to numerous institutions of the Evangelical Inner Mission which have always been used for the purpose of earning a profit (hostels, hotels, sanatoria, etc.) It is precisely for these commercial institutions with an ecclesiastical background that the dependence on former sources of revenue is greatest; being purely commercial enterprises, they usually had an appropriate amount of debts; therefore the adverse effect on the creditors is greatest in the case of these semi-ecclesiastical enterprises. The strict refusal of any rent payment would then apply only to monasteries proper, retreats, etc.

I have the honour to request a decision as to whether pending a final settlement of the compensation question, compensation may be granted at least for current real estate charges, as proposed above.

The Chief of the Staff Main Office
[signed] C.W.
SS-Gruppenfuehrer

[Rubber Stamp]
TOP SECRET
100 copies
Copy No. 42.

ACTIVITY AND SITUATION REPORT NO. 6. OF THE TASK FORCES [Einsatzgruppen] OF THE SECURITY POLICE AND THE SD IN THE U.S.S.R.

(Time covered by report: 1-31 October 1941)

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I. *STATIONS.*

During the period covered by this report the stations of the Task Forces of the Security Police and the SD have changed only in the Northern Sector.

The present stations are:

Task Force A: since 7 October 1941 Krasnowardeisk.
Task Force B: continues in Smolensk.
Task Force C: since 27 September 1941 in Kiew.
Task Force D: since 27 September 1941 in Nikolajew.

The Action and Special Commandos [Einsatz und Sonder Commandos] which are attached to the Task Force continue on the march with the advancing troops into the sectors which have been assigned to them.

II. *ACTIVITIES.*

A. *Eastern Territory* (i. e. Baltic area)
a. Partisan activity and counteraction.

The activity of the Bolshevist partisans in area of task force A has *quieted down somewhat.* Nevertheless, intelligence work has been further extended through the dispatching civilian agents, and the enlistment of the village elders and of the population. The results of the preliminary intelligence work served as a basis for several actions in the active combatting of the partisans. From a captured activity report of a partisan group, it can be ascertained that the partisans anticipate, in view of the approaching winter season, that they will not be able to hold out longer than the middle of November.

* * * * * * *

c. Jews. In 1940 there were in Estonia approximately 4,500 Jews almost exclusively in Reval, Dorpot, Narwa and Pernau. There were only a few Jews in the country districts. After the occupation of the Eastern territory by German troops there were still approximately 2,000 Jews. The larger part had left the country in an easterly direction together with the Soviet authorities and the Red Army.

Spontaneous demonstrations against Jewry followed by pogroms on the part of the population against the remaining Jews have not been *recorded,* on account of the lack of adequate indoctrination.

However, the Estonian Protective Corps [Selbstschutz], formed at the time of the entry of the Wehrmacht, immediately started a *comprehensive arrest action of all Jews.* This action was under the direction of the task force of the Security Police and the SD.

The measures taken were:

1. Arrest of all male Jews over sixteen.
2. Arrest of all Jewesses from 16-20 years, who lived in Reval and environments and were fit for work; these were employed in peat cutting.
3. Comprehensive detention in the synagogue of all Jewesses living in Dorpot and its environments.
4. Arrest of the Jews and Jewesses fit for work in Pernau and environments.
5. Registration of all Jews according to age, sex, and capacity for work for the purpose of their detention in a camp is being prepared.

The male Jews over 16 were executed with the exception of doctors and the elders. At the present time this action is still in progress. After completion of this action, there will remain only 500 Jewesses and children in the Eastern territory.

As an *immediate action* the following has been ordered by the task force of the Security Police and the SD:

1. Identification of all Jews.
2. The prohibition to carry on a public trade.
3. Prohibition of use of sidewalks and public transportation as well as of visits to theaters, cinemas and restaurants.
4. Prohibition of attendance at schools.
5. Seizure of all Jewish property.

B. *WHITE RUTHENIA*

a. Partisan activity and Counteraction.

Contrary to the situation in the North sector, the activity of the partisans in the area of task force B has increased slightly.

In Welikij Luki alone, 19 reports of attacks by partisans were received. However, the main weight of partisan activity lately has been shifting over to the *perpetration of acts of sabotage.* It has been noted, that the strongest groups divide themselves into smaller ones. This results in a better camouflage and mobility. How far this camouflage goes, is shown by three cases where partisans married into three villages, in order to appear unsuspected. Furthermore, Red Army men were unmasked as partisans; they had obtained certificates surreptitiously from units of the Wehrmacht, showing them to be unsuspected as political prisoners who were to be left at large. When interrogated by the Action Commandos of the Security Police and the SD, they admitted after long denials that *they had received the order to pass themselves off as political prisoners or as forced laborers,* and to take up the fight again as partisans behind the front.

Again and again it can be observed, that the *population refuses to support the partisans,* and in several instances they have even acted actively against the partisans, if by this action the destruction of their property could be prevented.

In several actions against smaller partisan groups, a number of partisans would be shot.

At Choslawitschi 4 partisans who had shot at a German soldier were apprehended and liquidated.

Southeast of Demidow, five partisans were captured after a search of the forests; they admitted to have killed 14 German soldiers. They were liquidated.

In several actions northwest of Welish 27 partisans were apprehended and shot.

In the village Michalowo, after careful reconnaissance through civilian agents, 8 partisans were surprised in a house by the same Commando of the Security Police and the SD, they were arrested and hanged the next day in this particularly partisan-infested village.

The president of the District Region Soviets in Tarenitsch and his secretary were shot because of their connections with partisans.

During an action approximately 70 kilometers south of Mogilew, *25 Armenians, Kirghizs and Mongols* were apprehended with false identification papers with which they tried to conceal the fact that they belonged to a partisan group. They were liquidated.

In the same district two partisan leaders were captured and shot.

An Action Commando of the Security Police and the SD shot 3 partisans at Iwniki, who shortly before capture had thrown their weapons into a brook.

In Wultschina 8 juveniles were arrested as partisans and shot. They were *inmates of a children's home.* They had collected weapons which they hid in the woods. Upon search the following were found: 3 heavy machine guns, 15 rifles, several thousand rounds of ammunition, several hand grenades, and several packages of poison gas Ebrit.

b. *Arrests and executions of Communists, Officials and Criminals.*

A further large part of the activity of the Security Police was devoted to the combatting of Communists and criminals. A special Commando in the period covered by this report executed 63 officials, NKVD agents and agitators.

In the vicinity of the Tytschinino railway station 4 girls were shot because they attempted to derail a train by loosening the fish-plates.

Three communist officials and one Politruk were liquidated at Gorodnia.

18 persons were executed at Mogilew; they had acted as political officials and Politruk. Weapons were found in their possession.

An Action Commando convicted a *member of the Supreme Council of the White Russian Soviet Republic* of arson in Witebsk. He was shot.

Blood-Cellar in Tschernigow. In the NKVD building in Tschernigow a *blood cellar* was discovered. It was soundproof and lightproof. One room served as the place for executions. The wall was covered with boards serving as butts with sawdust strewn in front of it which was completely soaked with blood.

Lunatics. The Red Troops had opened the insane asylum at their departure and had armed some of the inmates. 21 insane persons were apprehended in the meantime and liquidated. In Minsk 632 and in Mogilew 836 persons were shot.

In Mogilew in addition 33 looters were executed.

The liquidations for the period covered by this report have reached a total of 37,180 persons.

c. Jews.

Now as ever, it is to be noted that the population on their own part refrains from any action against Jews. It is true that the population reports collectively of the terror of the Jews to which they were exposed during the time of the Soviet regime, or they complain about new encroachments of the Jews, but nevertheless, they are not prepared to take part in any pogroms.

All the more vigorous are the actions of the task forces of the Security Police and the SD against the Jews who make it necessary that steps be taken against them in different spheres.

In Gorodnia 165 Jewish terrorists and in Tschernigow 19 Jewish Communists were liquidated. 8 more Jewish communists were shot at Beresna.

It was experienced repeatedly that the *Jewish women showed an especially obstinate behavior.* For this reason 28 Jewesses had to be shot in Krugoje and 337 at Mogilew.

In Borissow 321 Jewish saboteurs and 118 Jewish looters were executed.

In Bobruisk 380 Jews were shot who had engaged to the last in *incitement and horror* propaganda (Hetz- und Greuelpropaganda) against the German army of occupation.

In Tatarsk the Jews had left the Ghetto of their own accord and returned to their old home quarters, attempting to expel the Russians who had been quartered there in the meantime. All male Jews as well as 3 Jewesses were shot.

In Sadrudubs the Jews *offered some resistance* against the establishment of a Ghetto so that 272 Jews and Jewesses had to be shot. Among them was a political Commissar.

Mogilew

In Mogilew too, the Jews attempted to sabotage their removal to the Ghetto. 113 Jews were liquidated.

Wit

Moreover, four Jews were shot on account of *refusal to work* and 2 Jews were shot because they had illtreated wounded German soldiers and because they did not wear the prescribed markings.

In Talka 222 Jews were shot for anti-German propaganda, and in Marina Gorka 996 Jews were shot because they had sabotaged orders issued by the German occupation authorities.

At Schklow 627 more Jews were shot, because they had participated in acts of sabotage.

Witebsk

On account of the extreme danger of an epidemic, a beginning was made to liquidate the Jews in the ghetto at Witebsk. This involved approximately 3000 Jews.

* * * * * * *

C. *UKRAINE.*

a. Partisan activity and counteraction.

Although partisan activity in the south sector is very strong too, there is nevertheless the impression that spreading and effective partisan activity are strongly affected by the flight of higher partisan leaders, and by the lack of initiative of the subordinate leaders who have remained behind. Only in one case a commando of the Security Police and the SD succeeded in a fight with partisans *in shooting the Secretary of the Communist Party for the administration district of Nikolajew-Cherson, who was at the time Commissioner of a partisan group for the district Nikolajew-Cherson-Krim.*

The leader of a partisan group of five was captured after an exchange of shots near Odessa. He had the task of spotting artillery positions and of reporting them to a Soviet command post.

An action against partisans near Kostromka resulted in the arrest of 16 persons, among them a Politruk, a Unit leader of an annihilation brigade, as well as 3 communist revolutionaries.

The Jew Herschko Salomon, who had belonged to a parachute Defense-Assault battalion, was located at the city hospital in Nikolajew. The screening of PWs resulted in the discovery of 3 Jews who were members of a partisan company.

In Belabanowka the former president of the village soviet, who had attempted to form a partisan group of his own, was arrested.

Furthermore a *member of the Polit. Bureau and president of a workers union,* at present organizer of partisan groups, was arrested and liquidated.

14 partisans were shot at Kiew.

In the course of an action at Cherson, 2 persons were apprehended who attempted to carry information behind the Bolshevist lines. At the same time the leader of a band of partisans was shot after a lengthy fight.

b. Arrests and Executions of Communists and Officials.

The search for leading communists resulted in the arrest of Kaminski, former GPU chief of Cherson. In the years 1919/21, he had carried out the liquidation of the Czarist officers. The head of the prison work shops of the NKVD was also caught.

In Kiew a number of NKVD officials and political commissars were rendered innocuous.

c. Jews.

The embitterment of the Ukrainian population against the Jews is extremely great, because they are thought responsible for the explosions in Kiew. They are also regarded as informers and agents of the NKVD, who started the terror against the Ukrainian people. As a measure of retaliation for the arson at Kiew, all Jews were arrested and altogether 33,771 Jews were executed on the 29th and the 30th September. Money, valuables and clothing were secured and put at the disposal of the National-Socialist League for Public Welfare [NSV], for the equipment of the National Germans [Volksdeutschen] and partly put at the disposal of the provisional city administration for distribution to the needy population.

Shitomir

In Shitomir 3145 Jews had to be shot, because from experience they have to be regarded as bearers of Bolshevist propaganda and saboteurs.

Cherson

In Cherson 410 Jews were executed as a measure of retaliation for acts of sabotage. Especially in the area east of the Dnjepr the solution of the Jewish question has been taken up energetically by the task forces of the Security Police and the SD. The areas newly occupied by the Commandos were purged of Jews. In the course of this action 4891 Jews were liquidated. At other places the Jews were marked and registered. This rendered it possible to put at the disposal of the Wehrmacht for urgent labor, Jewish worker groups up to 1000 persons.

* * * * * * *

Polish Main Committee
5 Vischer Street
Cracow

Cracow, 17th May 1944

To the Administration of the General Government,
Main Department Home Administration,
Dept. Population and Welfare,
Cracow
13 University Street.
No. Pa 1/724, 6699/44

Subject: Situation of the Polish Workers in the Reich

The conditions of life for about 2 millions of Polish male and female workers in the Reich have given rise to difficulties which are to a large extent lowering the will and the power to work of many workers, endangering their health and even their lives, and also having a strong influence on the situation of their families within the General Government, thus even directly affecting the sphere of our own work.

These bad conditions are felt especially by those groups of workers who have been assigned for work in factories and have been lodged in large camps. With regard to workers on the land they only occur for individual cases which are easily dealt with. The conditions have become worse since whole families often with many children were brought into the Reich and, defenseless and unprotected against the outrages of Ukrainian murder gangs, were placed in camps for Eastern workers.

The sanitary and moral effect of the bad conditions is for us too far reaching to be considered with indifference; we beg therefore to draw attention to them and to ask to consider the elimination of these bad conditions.

They concern housing, feeding, clothing, care of children and their education, sanitary conditions, and finally separation of families.

Question of housing

First consideration is due to the situation of families who have been inducted into camps for Eastern workers, together with numerous younger and older children * * * Once arrived in the camps they have been deprived of any liberty of movement and are being treated as prisoners without any rights. The privileges of voluntary workers, which are due to them, are not granted. Nobody is asked what work he is suited for. Land workers are assigned to factories where they are unused to the work and unable to accomplish as much as they could on the land . . . . Husband, wife and older children are called to work in factories, the younger children remain without due supervision in the camp areas, behind barbed wire, without any opportunities of exercising in the open air and not subject to any discipline.

The cleanliness of many overcrowded camp rooms is contrary to the most elementary requirements. Often there is no opportunity to obtain warm water for washing, therefore the cleanest parents are unable to maintain even the most primitive standard of hygiene for their children or often even to wash their only set of linen. A consequence of this is the spreading of scabies which cannot be eradicated.

* * * * * * *

Help in Feeding.

We receive imploring letters from the camps of Eastern workers and their prolific families beseeching us for food. The quantity and quality of camp rations mentioned therein—the so-called fourth grade of rations—is absolutely insufficient to maintain the energies spent in heavy work. 3, 5 kg of bread weekly and a thin soup at lunch time, cooked with swedes or other vegetables without any meat or fat, with a meager addition of potatoes now and then is a hunger ration for a heavy worker.

Sometimes punishment consists of starvation which is inflicted e.g. for refusal to wear the badge "East". Such punishment has the result that workers faint at work—(Klosterteich Camp, Gruenheim, Saxony)—The consequence is complete exhaustion, an ailing state of health and tuberculosis. The spreading of tuberculosis among the Polish factory workers is a result of the deficient food rations meted out in the community camps because energy spent in heavy work cannot be replaced.

* * * * * * *

The food and bread fixed for Polish children in the camps are by no means sufficient for building up the substance for growing and developing their organism. In some cases children up to the age of 10 and more are alloted 200 gr. of bread weekly, 200 gr. of butter or margarine and 250 gr. of sugar monthly and nothing else—(Zeititz near Wurzen, Saxony).

Prices in the open market are far too high. The call for help which reaches us, brings to light starvation and hunger, severe stomach and intestinal trouble especially in the case of children resulting from the insufficiency of food which does not take into consideration the needs of children. Proper medical treatment or care for the sick are not available in the mass camps.

* * * * * * *

Care of Children

In addition to these bad conditions, there is lack of systematic occupation for and supervision of these hosts of children which affects the life of prolific families in the camps. The children, left to themselves without schooling or religious care, must run wild and grow up illiterate. Idleness in rough surroundings may and will create unwanted results in these children. (Suggestions follow to remedy the situation.) * * * An indication of the awful conditions this may lead to, is given by the fact that in the camps for Eastern workers—(camp for Eastern workers "Waldlust", Post Office Lauf, Pegnitz) there are cases of 8 year old delicate and under nourished children put to forced labor and perishing from such treatment. * * *

Sanitary Treatment.

The fact that these bad conditions dangerously affect the state of health and the vitality of the workers is proved by the many cases of tuberculosis found in very young people returning from the Reich to the General Government as unfit for work. Their state of health is usually so bad that recovery is out of the question.

The reason is that a state of exhaustion resulting from overwork and a starvation diet is not recognized as an ailment until the illness betrays itself by high fever and fainting spells.

Although some hostels for unfit workers have been provided as a precautionary measure, one can only go there when recovery may no longer be expected—(Neumarkt in Bavaria). Even there the incurables waste away slowly, and nothing is done even to alleviate the state of the sick by suitable food and medicines. There are children there with tuberculosis whose cure would not be hopeless, and men in their prime who, if sent home in time to their families in rural districts, might still be able to recover.

* * * * * * *

Protection of the Community of Families.

Grave depression is caused among the Eastern workers by the ordinance forbidding marriage among them within the borders of the Reich. * * * No less suffering is caused by the separation of families when wives and mothers of small children are torn away from their families and sent to the Reich for forced labor.

There are also fathers who occasionally volunteered for labor and who have already been working for four years in the Reich, without ever getting any leave, from whom their own children have been alienated because of their long absence, who often do not even know their own children born after their departure, because they have had no opportunity of visiting their families on leave.

* * * * * * *

Religious Care.

If under these bad conditions there is no moral support such as is normally provided by regular family life, then at least such moral support which the religious feelings of the Polish population require should be maintained and increased. The elimination of religious services, religious practice and religious care from the life of the Polish workers, the prohibition of church attendance at a time when there is a religious service for other people and other measures show a certain contempt for the influence of religions on the feelings and opinions of the workers.

* * * * * * *

[signed] The Polish Central Committee
[signature illegible]
President

TRANSLATION OF DOCUMENT R-110

[stamp] Personal Staff Reichsfuehrer SS
Document Administration, Secret, ref. no. 212/21

SECRET

Field Hq, 10 August 1943

The Reichsfuehrer SS
Personal Staff
Diary No. 48/16/43 g, Bra/Bn

To all Senior Executive SS- and Police Officers
[Hoeheren SS- und Polizeifuehrer]

At the request of the Reichsfuehrer SS I am sending you the enclosed order, with the request that the Chief of the Regular Police [Ordnungspolizei] and of the Security Police be informed;

they are to make this instruction known to their subordinate offices verbally.

In addition the Reichsfuehrer SS requests that the Gauleiters concerned be informed verbally of this order.

Brand
1 encl. SS - Obersturmbannfuehrer

SECRET

The Reichsfuehrer-SS
RF/Bn 48/16/43 g

Field Hq, 10 August 1943

It is not the task of the Police to interfere in clashes [Auseinandersetzungen] between Germans and English and American terror fliers who have bailed out.

H. Himmler

TRANSLATION OF DOCUMENT R-112

[*DOCUMENT A.*]

Berlin, Febr. 16th 1942

The Reichsfuehrer SS and Chief of the German Police
The Reich Commissioner for the Consolidation of German Nationhood.
S II A 2 Nr. 420/VII/41—176—

To
The Reich Governors in the Reich "Gaue"
Wartha Country and Danzig-West Prussia,
The Province Presidents at Breslau, Katowice and Koenigsberg,
The State Police District Offices at Danzig, Poznan and Katowice,
The State Police Offices at Tilsit, Zichenau, Allenstein, Grudziaz, Bydgosz, Inowrazlaw, Litzmannstadt, Oppeln.

Copies to
The Reich Commissioners for the Consolidation of German Nationhood-Staff Headquarters,
Department I, Reich Ministry of the Interior,
The Higher SS and Police Fuehrer at Koenigsberg, Danzig, Poznan, Breslau,
The Security Service Districts at Inowrazlaw, Lwow, Torun, Tilsit, Zichenau,

The Security Service Districts at Danzig, Katowice, Poznan,
The Security Service Main Local Branches at Allenstein, Oppeln,
Departments III B 1, IV C 2, IV D 2 of the Security Service Main Office

Subject: Racial Germans who do not apply for entry in the List for Repatriation of German Ethnic Groups ("German Ethnical List")

I. Where Racial Germans have not applied for entry in the "German Ethnical List", you will instruct the subordinate agencies to turn over their names to the State Police (Superior) Office. Subsequently you will report to me.

II. The Local State Police (Superior) Office, will charge the persons whose names are turned over to them to prove within eight days that they have applied for entry in the "German Ethnical List". If such proof is not submitted, the Person in question is to be taken into protective custody for transfer into a Concentration Camp.

(signed) HIMMLER

[seal]

A true copy
(signed) Kippsch
Clerk

[*DOCUMENT B.*]

The Reichs Fuehrer SS and Chief of the German Police
Reich Commissioner for the Consolidation of German Nationhood

Berlin, Feb.16.1942

II A 2 Nr. 420 VII/41—176

To

a. The Supreme Reich Authorities, 10 copies
b. The Governments of the German States, Prussia excepted, 10 copies
c. The Reich Governors, 10 copies
d. The "Gauleiters", 10 copies
e. The Presidents of Provinces and Districts in Prussia, 10 copies
f. The Higher SS and Police Fuehrer, 10 copies
g. The State Police (Superior) Offices, 3 copies

INFORMATION TO

h. Department I, Reich Ministry of the Interior, 10 copies
i. The Reich Commissioner for the Consolidation of German Nationhood, —Staff Headquarters, 10 copies
j. Main Trustee Office East, 10 copies
k. The Inspectors of Security Police and Security Service, 5 copies
l. Reich Main Security Office—for distribution sub-C-
m. The Security Service (Superior) Districts
n. The Criminal Police (Superior) Offices.

Subject: Treatment of persons entered in Division 4 of the German Ethnical List.

According to the powers given to me by the Decree of the Fuehrer and Reich Chancellor concerning the Consolidation of German Nationhood of 7.10.39, and exercising furthermore the powers held by me as Reichsfuehrer SS and Chief of the German Police, and attributed to me by the Decree of the Fuehrer's Deputy A 7/41 of 26.2.1941, and with the consent of the Party Chancery, the Finance Minister and the Main Trustee Office East, I order as follows:

I. In Division 4 of the German Ethnical List (Ordinance concerning the List for the Repatriation of German Ethnic Groups and the German nationality within the incorporated areas in the East of 4.3.1941—(German Law Gazette I p. 118))—will be entered those racial Germans who had been Polandized on their own instigation. They may acquire German nationality by naturalization with a proviso for revocation. These Germans who were Polandized on their own application and their children are to be won back for Germany. Where this aim cannot be attained, they must at least be prevented from assisting the Polish nation in the future. Numerous persons among those entered in Division 4 deserve to be called "renegades" in the strict sense of the word. Since however, to call them "renegades" might render more difficult the process of winning them back, the term "renegade" will not be used in official communications. The persons in question are rather to be called "Polandized Germans."

The Polandization of these persons took different form, but in every case resulted in persons becoming active enemies of Germany. In particular the following groups have to be distinguished:

a. German Racials living in mixed marriages with foreigners,
b. Children from mixed marriages with foreigners,

c. Persons influenced by the Catholic Church,
d. Persons influenced by the Augsburg Church of Bishop Bursche
e. Persons who renounced their German nationality for the sake of social advance,
f. Persons who renounced their German nationality for reasons of class (nobility, owners of large estates, clergy)
g. Persons who renounced their German nationality because they were isolated in purely Polish surroundings.

II. The Re-Germanization of the Polandized Germans presupposes their complete separation from Polish surroundings. For that reason the persons entered in Division 4 of the German Ethnical List are to be dealt with in the following manner:

A. *They are to be resettled in Old Reich territory.*

1. The Superior SS and Police Leaders are charged with evacuating and resettling them according to instructions which will follow later.

2. Asocial persons and others who are of inferior hereditary quality will not be included in the resettlement. Their names will be turned over at once by the Higher SS and Police Fuehrer (Inspectors of Security Police and Security Service) to the competent State Police (Superior) Office. The latter will arrange for their transfer into a Concentration Camp.

3. Persons with a particularly bad political record will not be included in the resettlement action. Their names will also be given by the Higher SS and Police Fuehrer (Inspectors of Security Police and Security Service) to the competent State Police (Superior) Office for transfer into a Concentration Camp. The wives and children of such persons are to be resettled in old Reich territory and to be included in the Germanization measures. Where the wife also has a particularly bad political record and cannot be included in the resettlement action, her name too, is to be turned over to the competent State Police (Superior) Office with a view of imprisoning her in a Concentration Camp. In such cases the children are to be separated from their parents and to be dealt with according to III, Par. 2, of this Decree. Persons are to be considered as having a particularly bad political record who have offended the German nation to a very great degree (e.g. who participated in persecutions of Germans, or boycotts of Germans, etc.)

B. *How these persons are to be dealt with prior to resettling them.*

1. Persons who hitherto had professions involving leadership of men (educators, clergymen, works' managers, Master artisans etc.) will be reeducated for other professions that do not involve the leadership of men. The Higher SS and Police Fuehrer will order and control the reeducation.

2. On application these persons will be received into the German Labor Front. They are not to be received into the Party, any of its organizations, or an affiliated organization.

3. The children will be admitted to the local German Elementary Schools and have to join the Hitler Youth. They are not to be admitted to a local Secondary School. Should such children enter a Secondary School, they would have to enter a boarding school in the old Reich territory, provided that the Higher SS and Police Fuehrer who has jurisdiction over the parents' domicile gives his consent. They are forbidden to enter a University, with the exception of children who have attended a German Boarding School for at least three years and have been designated by the school as suitable for University attendance.

4. The property of these persons remains seized. In order to enable them to support themselves and to pay their necessary expenses they will receive instalments, the amount of which will be fixed by the competent SS and Police Fuehrer according to instructions of the Authority competent by virtue of section 12 of the Law of 17.9.1940 (German Law Gazette I p. 1270), which will be issued later.

5. They will be on an equal footing with other Germans as regards distribution of rations, textiles, etc, admission to German inns and meetings, and the receipt of pensions etc. Their dwelling houses are not to be seized, unless they are of a disproportionate size, so that the housing shortage calls for dividing up the house and seizing one part of it.

C. How they are to be dealt with following resettlement in Germany proper.

1. Their property remains seized and will be liquidated according to instructions now in force by the Authorities competent by virtue of section 12. of the Law of 17.9.40 (German L.G.I. p. 1270). The proceeds will be paid into a Special Account. After final liquidation of the property, the administration of the Special Account will be handled by the locally competent Higher SS and Police Fuehrer. After the transfer to the locally competent

SS and Police Fuehrer the persons concerned may draw from the account up to RM 2000.—per year. Above this amount they may draw only with the consent of the Higher SS and Police Fuehrer. The release of the special Account is up to the Reich Commissioner for the Consolidation of German Nationhood—Staff Headquarters. Application for it has to be made by the Higher SS and Police Fuehrer as soon as the Person concerned is considered to have been re-Germanized.

2. The locally competent State Police (Directing) Office will impose on them the following duties:

a. to join without delay an organization associated with the NSDAP and to make their children join the Hitler Youth.
b. not to change their domicile in the first 5 years following the resettlement, unless the Higher SS and Police Fuehrer agrees,
c. not to marry without permission by the Higher SS and Police Fuehrer,
d. to refrain from accepting a guardianship,
e. not to start studies at a University, unless the Higher SS and Police Fuehrer agrees,
f. not to assume a new German name for a non-German one.

3. On their application they will be received into an organization affiliated with the NSDAP, unless there are special objections in a particular case. They will not be received into the Party or any of its formations, apart from the children being received into the Hitler Youth.

4. The competent Higher SS and Police Fuehrer will appoint for each resettled family, resp. for each independent single person, a "Counsellor". This counsellor has to assist the person who is to be re-Germanized, in reverting to his original nationhood, to report every 6 months to the competent SS and Police Fuehrer and the competent State Police (Superior) Office on the progress of the Germanization and to give his opinion on measures intended by the State Police, if any. The Party has promised to recognize service as a "Counsellor" as service for the Party.

5. Apart from the exceptions stated in Nrs. 1-4 the persons concerned are on equal footing with other German nationals.

III. The Higher SS and Police Fuehrer will further the Re-Germanization actions with every means at their disposal and continuously take stock of their success. In case they find that obstacles are put in the way of a re-Germanization action, they will report on their findings to the competent State Police (Superior) Office for appropriate measures. Where it proves to be impossible to attain re-Germanization even by forcible measures taken by the State Police, they will apply for a revocation of the naturalization through the Reich Fuehrer SS, Reich Commissioner for the Consolidation of German Nationhood and give notice to the competent State Police (Superior) Office.

The Superior SS and Police Fuehrer will take particular care that the re-Germanization of children will not be hindered by adverse influence of their parents. In case such adverse influence has been found to exist, and that it cannot be removed by forcible measures taken by the State Police, the children have to be placed with families against whose ideological and political opinion there are no objections, provided they are prepared to receive them as foster childen without reservation, moved by love for the good blood flowing in the children's veins, and to treat them as their own children. The same applies to children who have been separated from their parents by virtue of Nr. II A 3 of this decree.

IV. In the course of fulfilling their duties imposed on them by this Decree the competent State Police (Superior) Offices will take in particular the following measures:

1. They will take into protective custody the persons named to them under Nr. II A 2 and 3 of this Decree and will order their imprisonment in a concentration camp.

2. They will start a dossier on every person entered in Division 4 of the German Ethnical List. One dossier will be enough for a whole family. The dossier will contain a photo of the persons in question and every communication received, which may be of value for judging the persons in question.

3. They will impose the obligations as provided in Nr. II C 2 and keep watch on their being fulfilled, and take appropriate measures for enforcing them.

4. They will assist the Higher SS and Police Fuehrer in their tasks of re-Germanization, particularly in removing obstacles by forcible measures whenever there is opposition to re-Germanisation. Before ordering forcible measures by the State Police they will give the Counsellor of the person in question an opportunity to state his opinion.

5. They will take into protective custody all persons, with regard to whom the Higher SS and Police Fuehrer has applied for

revocation of their naturalization and will order their imprisonment in a Concentration Camp.

(signed) H. HIMMLER
(STAMP) F.f.c.
Kippsch, Office Employee.

[*DOCUMENT C.*]

The Reichsfuehrer SS and Chief of the German Police,
Reich Commissioner for the Consolidation of German Nationhood

Berlin, July 1st 1942.

II B 1 e -IV-

To

a. The Higher SS and Police Fuehrer, 3 copies
b. The Inspectors of Security Police and Security Service, 3 copies
c. The State Police (Superior) Offices in the incorporated Eastern areas, 5 copies
d. The Security Service (Superior) Office in the incorporated Eastern areas, 5 copies
e. The Criminal Police (Superior) Office in the incorporated Eastern areas, 3 copies

Copies to

f. Dept. I of the Reich Ministry of the Interior, 5 copies
g. The Reich Commissioner for the Consolidation of German Nationhood-Staff Headquarters, 3 copies
h. The Reich Commissioner for the Consolidation of German Nationhood-Communication Centre to Racial Germans, 3 copies
i. Main Office for Questions of Race and Settlement, 5 copies
j. Reich Main Security Office—for distribution sub. B.

Subject: Resettlement of members of Division 4 of the "Deutsche Volksliste".

According to the Decree of the Reich Leader SS, Reich Commissioner for the Consolidation of German Nationhood, dated 16.2.42, Ref.Nr. II A 2 Nr. 420 VII/41-176 concerning "Treatment of persons entered in Division 4 of the German Ethnical List" these persons are to be resettled in Old German territory. Evacuation and resettlement have to be effected by the Higher SS and Police Fuehrer *on instructions to be issued later.*

Since conditions at the moment are difficult in every part of the war economy, and especially since there is a considerable shortage of housing in the whole of the Reich, the former intention of resettling at once the members of group 4 of the German Ethnical List in Germany proper, cannot generally be accomplished.

This is why for the time being only individual persons or individual families can be resettled; in the first place they are persons whose resettlement for political and for reasons laid down by the Security Police seems to be particularly urgent.

Whereas there should be no difficulty in dealing with the asocial and biological inferior persons mentioned in II A 2 of the Decree of 16.2.42, the State Police (Superior) Offices ought to pay particular attention to the persons mentioned under II A 5 as *having a particularly bad* record. Even if the greater part of these persons are already imprisoned in a Concentration Camp, some of them still reside in the Incorporated Eastern Areas. With regard to the persons entered in Div. 4 of the German Ethnical List I hereby order the following:

I

1. The State Police (Superior) Office will demand from the local branches of the German Ethnical List, the Security Service (Superior) Offices and the Criminal Police (Superior) Offices their dossiers dealing with members of Division 4.

2. Decisive for the further treatment of members of Div. 4 will be the result of a racial test. As soon therefore as it will be possible to examine a larger number of members of Div. 4, the competent examiner of the Head Office for Race and Settlement has to be informed, and place and time for the racial test have to be fixed.

3. The leaders of the State Police (Superior) Offices and the leaders of the Security Service (Superior) Offices (or their Deputies) will take personal part in the examinations, in order to inspect personally the persons to be tested. The result of the test is to be added to the dossier.

The persons not passing the racial test (hereditarily inferior persons etc.) will be excluded from the German Ethnical List on application to the competent branch. Their certificate of having been entered into the list will be taken away by the State Police (Superior) Office. After having been excluded from the list they are to be treated as non-German subjects. In case they have been found asocial, they have to be imprisoned in a Concentration Camp.

4. The racial tests having been completed, the leaders of the State Police (Superior) Offices and the leaders of the Security Service (Superior) Offices, resp. their permanent deputies (in the Security Service the IIIB officials) will *together* examine the material available and will apply in case of necessity to the Reich Main Security for an Order for Custody and Concentration Camp Imprisonment. In cases presenting particular difficulties the dossiers are first to be submitted to the Reich Security Office, Dep. III—III B. The decision of the latter office then will be forwarded to the competent State Police (Superior) Office for further action.

5. Those persons, with regard to whom Imprisonment in a Concentration Camp has been decided upon, will be transported at once by the competent State Police (Superior) Office to a Concentration Camp, on the specified order of Dept. IV of the Reich Main Security Office. The competent State Police (Superior) Office then will send their dossiers to the competent Camp Administrative, enclosing an appropriate communication and quoting the decision reached.

II

1. Persons with regard to whom it was decided to resettle them will be reported by the State Police (Superior) Office to the competent Superior SS and Police Leader in the Incorporated Eastern areas to whom the dossiers will be handed over.

2. The Superior SS and Police Leaders in the Incorporated Eastern Areas will request the Superior SS and Police Leaders in these parts of Germany proper which have been designated for such settlements, to assign the settlers a place of work and appropriate housing; the dossiers will accompany the request.

The Staff Headquarters will designate to the Higher SS and Police Fuehrer in the Incorporated Eastern areas certain larger areas suitable for resettlement.

3. The Higher SS and Police Fuehrer in Germany proper acting on their own responsibility, will decide on the settlement on the basis of the dossier sent to them and taking into consideration the conditions as a whole.

In other respects the settlement follows the rules of the procedure used in the resettlement of persons suitable for re-Germanization.

4. The Higher SS and Police Fuehrer in the Incorporated Eastern Areas report to the following Authorities whenever a transport leaves, enclosing a list of names and places of departure:

a. Reich Commissioner for the Consolidation of German Nationhood,—Communication Centre for Racial Germans—
b. Reich Commission for the Consolidation of German Nationhood,—Staff Headquarters—
c. Reich Commissioner for the Consolidation of German Nationhood, Reich Main Security Office III B,
d. The Superior SS and Police Leader in Germany proper.
e. The State Police (Superior) Offices competent in Germany proper,
f. The Security Service (Superior) Offices, competent in Germany proper,
g. The State Police (Superior) Office, competent in the Incorporated Eastern Areas.

5. For further dealings with the resettled persons the Reich Commissioner for the Consolidated German Nationhood — Communication Centre for Racial Germans assumes jurisdiction; he will act through the Higher SS and Police Fuehrer.

6. In fulfillment of their duty to examine continually the success of the re-Germanization action (cp.III of the Decree of 16.2.42) the Security Service (Superior) Offices in Germany proper have to intervene in the same way as they do in continuously reporting on the Poles suitable for Germanization to the Reich Main Security Office and the Higher SS and Police Fuehrer. They have to assist the appointed "Counsellors" as to questions of race (In Charge: Dep.III B) whenever possible.

By order

(signed) Streckenbach
SS Group Leader

A true copy
(sg) Klimsch
Employee

[*DOCUMENT D.*]

Ref. 1-3/4-1 (21.6.41 Foe/La Berlin, July 28th 1942

Subject: Evacuation and Resettlement of the members of Division 4 of the German Ethnical List.

Your Ref: Decrees of Reichsfuehrer SS and Chief of German Police, Reich Commissioner for the Consolidation of German Nationhood of 16.2.1942, Ref. Nr. II A 2 420 VII/41 176, and of 1.7.42, Ref. Nr. III B 1 e IV.

To The
Higher SS and Police Fuehrer for the districts:
Alpine Country, Danube, Elbe, Fulda-Werra, Contre, North East, North Sea, Baltic Sea, Rhine, Spree, South, South East, South West, Wartha, Danzig-West Prussia, West, Western Area, Katowice.

Copies to:

1. The Reich Minister of the Interior
   Dept. I
   72 Unter den Linden
   Berlin NW 7
2. The Reichsfuehrer SS, Chief of the German Police
   8 Prince Albrecht Street
   Berlin SW 11
3. The Reich Commissioner for the Consolidation of German Nationhood, Communication Centre for Racial Germans,
   29 Keith Street
   Berlin SW 68
4. The Chief of the Main Office SS. for Race and Settlement
   8 Prince-Albrecht Street
   Berlin SW 68
5. The Reich Main Security Office
   102 Wilhelm-Street
   Berlin SW 68

Supplementing the Decree of the Reichsfuehrer SS and Chief of the German Police, dated 1.7.42—quoted above—I hereby order the following:

For the reasons mentioned in the Decree quoted above resettlement will for the moment be effected only for individual persons or families in cases where their resettlement seems to be urgent for reasons of policy or security Police.

Where this action assumes larger proportions, I request immediate report.

I. *Regional Distribution.*

a. The members of Div. 4 of the German Ethnical List who are to be evacuated from the area within the competence of the *Representative for Danzig-West Prussia of the Reich Commissioner for the Consolidation of German Nationhood* at Danzig will be resettled in the area under the jurisdiction of

1. The Higher SS and Police Fuehrer *Centre* at Braunschweig (the transit camp being at the Castle, Ilsenburg.)
2. The Higher SS and Police Fuehrer *Fulda-Werra* at Kassel (the transit camp being at Hann. Muenden.)

b. The members of Div. 4 of the German Ethnical List to be evacuated from the area under the competence of the *Representative for the Wartha District of the Reich Commissioner for the Consolidation of German Nationhood at Poznan* will be resettled in the area under the competence of

1. The Higher SS and Police Fuehrer for *Alpine Country* at Salzburg (the transit camp being at Parsch/Salzburg)
2. The Higher SS and Police Fuehrer for *South West* at Stuttgart (the transit camp being at Schelklingen)
3. The Higher SS and Police Fuehrer for the *Rhine* at Wiesbaden, (the transit camp being in "Highway-House", Wiesbaden)

c. The members of Div. 4. of the German Ethnical List who are to be evacuated from the area under the jurisdiction of the *Representative for Katowice of the Reich Commissioner for the Consolidation of German Nationhood at Katowice* will be resettled in the area under the jurisdiction of

1. The Higher SS and Police Fuehrer *Baltic Sea at Stettin* (the transit camp "Major Schill" being at Belgard/Pomerania.)
2. The Higher SS and Police Fuehrer *West of Duesseldorf,* (the transit camp being at Bochum/Westphalia, 30, Klosterstreet.)
3. The Higher SS and Police Fuehrer *Western Area* at *Metz,* (the transit camp "Brown House" being at Kaiserslauter.)

d. The members of Div. 4. of the German Ethnical List who are to be evacuated from the area under the jurisdiction of the *Representative for North East of the Reich Commissioner for the*

Consolidation of German Nationhood Koenigsberg will be resettled in the area under the jurisdiction of

1. The Higher SS and Police Fuehrer for the *Reich Capital of Berlin at Berlin.*
2. The Higher SS and Police Fuehrer for *North Sea at Hamburg.* The transit camp will be designated later.

I reserve the right to enlarge the areas of resettlement in case of necessity.

II. *Assignment of labour.*

The members of Div. 4. of the German Ethnical List will be distributed in Germany proper, since they are persons suitable for re-Germanization. They are not allowed to return to the Eastern Areas. Their settlement is effected under the exclusive responsibility of the Higher SS and Police Fuehrer, who are bound by the rules concerning persons suitable for re-Germanization.

III. *Certificates.*

The members of Div. 4 of the German Ethnical List acquire German nationality with a proviso for revocation. They will be given *Red Certificates* of the "Deutsche Volksliste". For the time being they have not to apply for Identity Cards.

IV. *Treatment after resettlement in Germany proper.*

In this respect I refer to the Decree of the Reich Leader SS and Chief of the German Police, Reich Commissioner for the Consolidation of German Nationhood of 16.2.1942, Ref. Nr. II A 2 420 VII/41 176 and of 1.7.42, Ref. Nr. III B le IV, from which I quote the following:

(follow excerpts from these Decrees, already translated)

The remaining contents of the decrees quoted have to be kept in mind with diligence.

V. Statistically the persons entered in Div. 4. of the German Ethnical List will be treated in accordance with my Order of 7.8.1941, I-3/4-14 (13.3.41). These persons will be taken separately from members of Div. 3 of the "Deutsche Volksliste."

The Chief of Staff Headquarters.
[signed] Greifelt
SS Group Leader

TRANSLATION OF DOCUMENT R-114

I-1/7 Fls. 4 Dr. St/Ha Berlin, 7.8.42

Memo

on meeting of 4.8.42

Subject: General Directions for the treatment of deported Alsatians

Present:

SS.— "Hauptsturmfuehrer" Dr. Stier	Staff Headquarters
SS.— "Hauptsturmfuehrer" Petri	
"RR" Hoffmann	
Dr. Scherler	
SS.— Untersturmfuehrer Foerster	
SS.— "Obersturmfuehrer" Dr. Hinrichs	Chief of Estate Office and Settlement Staff, Strasbourg [Leiter des Bodenamtes und Ansiedlungsstabes Strasbourg]
SS.— "Sturmbannfuehrer" Brueckner	Intermediate Office for Racial Germans [Volksdeutsche Mittelstelle]
SS.— "Hauptsturmfuehrer" Hummisch	Main Office for Reich Security [Reichssicherheitshauptamt]
SS.— "Untersturmfuehrer" Dr. Sieder	Main Office for race and settling [RuS Hauptamt]
Dr. Labes	D.U.T.

A.

1. State of deportation in Alsace.

the starting point of the conference was a report on the deportation effected so far and further plans for resettlement in Alsace.

1. The first expulsion action [Ausweisungsaktion] was carried out in Alsace in the period from July to December 1940; in the course of it, 105,000 persons were either expelled or prevented from returning. They were in the main Jews, gypsies and other foreign racial elements, criminals, asocial and incurably insane persons, and in addition Frenchmen and Francophiles. The Patois-speaking population was combed out by this series of deportations [Aussiedlungswelle] in the same way as the other Alsatians.

1. Referring to the permission the Fuehrer had given him to cleanse Alsace of all foreign, sick or unreliable elements Gauleiter Wagner has recently pointed out the political necessity of new deportations [zweiten Aussiedlungsaktion] which are to be prepared as soon as possible. The following classes of people are to be affected by this measure:

A. Colored persons and their offspring:
   Negroes and colored hybrids
   Gypsies and their offspring,
   Jews, from half-Jews on,
   Mixed Jewish Marriages [juedische Mischehen]
B. people of foreign race and their offspring
C. the patois-speaking population,
D. Asocial persons,
E. incurably insane persons

2. The following persons are designated for immediate deportation by order of the Reichsstatthalter:

a. Families whose children have shirked their labor services and prospective military service by fleeing to France. So far 8 families have been discovered in which this situation exists.

b. Resettlement [Umsiedlung] of special cases in the interior of the Reich for purposes of Germanization.
e.g. families or individuals, who celebrated the French National day, 14th July 1942, in a manner deliberately hostile to German ideas and the present day state. There are about 20 of these persons.

c. In special cases as a means of punishment, e.g. individuals who have been designated by the Security Police as insufferable in Alsace and suitable for deportation. These are persons who, though racially of value have been some time previously in a concentration camp for grave offenses against the German nation. The number of these persons is estimated at 150 heads.

d. The following are scheduled for further deportation:
Members of the patois-group. The Gauleiter wishes to retain only such persons in the present patois-area who adhere to Germanism in their customs, in their language, and in their general attitude with regard to cases under headings *a* to *d* above, it is to be noted that the problem of race will be given first consideration, and this in such a manner that persons of racial value will be deported to Germany proper and racially inferior persons to France.

B.

The representatives of the SS Main Offices present were united in this opinion:

1. In order to ensure a uniform terminology, the following expressions will be used in future:

a. *Shifting* [*Absiedlung*] means: Removing persons from districts in which they have hitherto lived, while keeping them within the Reich.

b. Evacuation [Evakuierung] means: Expelling persons from the Reich.

c. Resettlement [Umsiedlung] means: Removing racial Germans from foreign areas in order to bring them within the Reich.

d. * * *

II. 1. The Gauleiter's plans for evacuation can be approved in principle, since they confine themselves in fact to a class of persons, whose presence in the Reich would be insupportable for racial and political reasons.

2. The shifting [Absiedlung] of the patois-population should as a rule be deferred until the end of the war, except in so far as it concerns persons who cannot be tolerated in Alsace because of their political activity.

3. The shifting [Absiedlung] of persons mentioned under headings I and II*a* should be approved in principle. It should be noted that the class of persons affected is confined to these cases, whose immediate expulsion [Abschiebung] is absolutely necessary. There is a general agreement on the view that more persons may be expected to try to escape to France, when compulsory military service is introduced. The families of such persons will have to be shifted [abgesiedelt] in the same way as those of shirkers of labor service unless the family is actually not an accessory to the escape of its member, his guardian is to be shifted [abzusiedeln] instead of the family.

A distinction is to be made with regard to the relatives of shirkers of labor or military service, according to whether the guilt of the family is greater or lesser. In order to differentiate sharply between measures for Germanization and measures of punishment, it is provided that at first they be dealt with in camps by the Security Police. Type and duration of this treatment will depend on the conduct of the family. At the conclusion of this penal imprisonment, the family is to be released and handed over for Germanization. It is conceivable that in special cases the Germanization may be started at once. Persons politically tainted to a lesser degree may be settled [angesiedelt] in West, or Central Germany, but as a general rule East of the Rhine. The worse the political record and the francophile conduct of a person, the farther away he is to be settled from his old locality. It is to be made clear to the shifted persons that their being shifted was the necessary consequence of their relatives escape but their further treatment depends on the conduct of the shifted family members themselves.

4. For the use in deciding whether a person is to be shifted or evacuated and as a basis for subsequent settlement and treatment, there should be drafted (in addition to racial and political screening) a general assessment of his work and conduct. A person specially qualified for this task is to be charged with making this assessment.

5. The property of shifted persons shall be dealt with in substantially the same way as the property of members of Section 4 of the German Ethnic List. Personal chattels are as a rule to be left in the possession of the shifted persons. Under the existing law the remainder of the property would have to be confiscated and handed over to the Chief of the Civilian administration. Efforts should be made to have this property transferred to the Reichsfuehrer-SS in his capacity as Reichskommissar for the consolidation of German Nationhood [f.d.F.d.v.] Prospects of compensation for property if good conduct is shown, should as a rule, be given. This compensation will be granted according to conduct and degree of re-Germanization, after a certain period of probation. The estate of the shifted persons is to be charged with appropriate expenses for removal and transport. In the case of paupers these expenses, like those of the other measures for shifting [Absiedlung] or evacuation [Evakuierung] must be borne by the Reichskommissar.

Copy
Filing Notice

In re: Shifting of Alsatians into Germany proper.

On Monday, 17 August, 1942 SS.-Gruppenfuehrer Kaul held a conference at the Reichsstatthalter's in Karlsruhe concerning the matter mentioned above, to which the undersigned were called.

In regard to the question of shifting [Absiedlung] Alsatians from the Reich the Gauleiter said the following:

The report to the Fuehrer was made at the Fuehrer's Headquarters in the presence of the Reichsfuehrer-SS. The Fuehrer went into detail in giving his opinion on the political reorganization and political reconstruction of the West, especially of Alsace. The Fuehrer explained in so many words that "asocial and criminal persons" were to be expelled to France (the Gauleiter reckons on perhaps 20,000 persons). Beyond this it would be possible to expel to France everybody who is "inferior" or not related to us by blood. Everyone belonging by blood to the German nation and everybody who is not allowed to go to France ought, regardless of his political attitude or any other attitude to be resettled [umgesiedelt] in the Reich, if he cannot be permitted in Alsace. *In any case* there would be *no* room for *large* scale resettlements. Shifting could be effected, however, in individual and special cases. The persons or families to be resettled would be placed by the "CdZ" [which probably refers to the Security Police] at the disposal of the Reichskommissar. The latter would provide for the evacuation [Absiedlung] and disposition of the resettled persons. The Reichsfuehrer-SS had promised the Gauleiter to dispatch SS.-Gruppenfuehrer Greifelt to us for that purpose. (The Gauleiter infers from this that a larger conference dealing with the entire action will soon take place here at Strasbourg). The resettlement will be carried out under the code-name "Reich". In the opinion of the Reichsfuehrer-SS the resettlement action should in *no* respect bear the character of punishment. The resettlers are to be treated *perfectly decently.* They should be told they will find *much better living conditions* in the Reich than they had in their former environment. In addition, the patois population is still, as before, to be resettled. At the moment, however, a resettlement on a large scale is not possible.

To a question of the undersigned the Gauleiter replied that the action (already begun) of shifting about 290 persons was to be completed. He furthermore desires that further announcements on the subject be published in the daily papers. Unauthorized crossings of the frontier must in any case be prevented. The Gauleiter then expressed himself further in regard to the foreign racial elements in Alsace. Ultimately they are all to be removed from Alsace, including those Polish nationals suitable for Germanization. This action also would have, on the whole, to be postponed. In individual cases, however, resettlement actions [Umsiedlungen] would be possible just as in the case of patois people or any other groups of the population. As to the foreigners no exceptions whatever would be made with regard to the Italians. The Gauleiter had spoken with the Italian Consul. The Gauleiter also would not hesitate to deport, if necessary, the Alsatian partner of a mixed marriage as well.

The Gauleiter intended to offset the loss of population as far as possible with people from Baden, in order to create a uniform race mixture. The Fuehrer had already agreed to the transplanting of inhabitants of Baden into Alsace.

The Chief of the Land Office [Bodenamt]
and Settlement Branch
[signature illegible]
SS.-"Obersturmfuehrer"

29.8.1942

TRANSLATION OF DOCUMENT R–118

[Document A]
[in handwriting:] Please arrange for order to be drafted!

K. [i.e. Keitel] 21 May

Note: [in handwriting]

General Korten has sent the following communication, subsequent to the Reich Marshal's report (scil. to Hitler):

The Fuehrer has made the following decision concerning measures to be taken in special cases against Anglo-American aircraft crews:

Enemy fliers who have been shot down will be shot without a court martial in the following cases:

1. If *our own* (German) aircraft crews are shot at while hanging from a parachute, after having been shot down;

2. If German aircraft, which have made an emergency landing, are attacked by means of aircraft armament, while members of the crew are in the immediate neighborhood;

3. If attacks are made on railroad trains serving public traffic;

4. If low-level attacks are made by means of aircraft armament on individual civilians (farmers, workmen, individual vehicles, etc.) [The words "individual civilians, farmers, workmen" are deleted, and the word "civilian population" is substi-

tuted in Jodl's handwriting; the word "civilian" is inserted in handwriting before "individual vehicles"].

[In Jodl's handwriting, referring to point 2 above:]
This I consider requires reconsideration; the destruction of an aircraft which has made an emergency landing cannot be called "Gangster method"; it corresponds fully to the most severe standard of civilized warfare.

[In Jodl's handwriting:]
The order must be preceded by a preamble, in which the disregard of the most primitive laws of a civilized * * * [rest illegible]

[Document B]

General Staff of the Armed Forces/Qu. (Verwl.)
No. 771761/44 g.K.Chefs

4 June 1944

[initials] W [Warlimont?]
4 June

2 copies
Copy No.
Top Secret
By Officer's hand only

Subject: Treatment of enemy fliers

Record of Report

I. In accordance with instructions from the Chief and Deputy Chief General Staff of the Armed Forces, the following arrangements are to be made forthwith:

1. It is to be ascertained from the Reich Leader SS (Sturmbannfuehrer Grothmann), whether and in what way the Reich Leader SS, in accordance with the instruction he received from the Fuehrer, has issued a notice to the effect that fliers shot down during low-level attacks on the population have, in one or several cases, been lynched by the population. If he has not done so it is to be ascertained in what manner the Reich Leader intends to proceed in the immediate future.

2. It is to be ascertained from the Supreme Command of the Air Force (Col. von Brauchitsch), which specific actions by enemy fliers should, in the opinion of the Reich Marshall, be considered and treated as punishable by death. The basis for this is furnished by the 4 points listed in the note from the Chief of the

General Staff of the Armed Forces, dated 20/22 May; these points are based on a communication from General Korten made after a report (scil. to Hitler) by the Reich Marshal. Point 2 is to be omitted.

3. When Point 2 has been cleared up, an instruction for the Commandant of the Oberursel Camp is to be worked out, indicating to him in which cases fliers delivered to him are to be handed over to the Security Service; he is to be told in detail, which cases are to be treated as punishable by death, and which view points are to be followed during further treatment. The statements by Col. von Brauchitsch, as recorded on 26 May, are to be used as a basis.

This instruction is to be drawn up in two copies only; after it has been referred back to Col. von Brauchitsch, it is to be forwarded to the Supreme Command of the Air Force, with the injunction that it must be made known to the Commandant of the Oberursel Camp only orally.

4. The Propaganda Chief, Armed Forces, is to be asked whether he knows of any recent steps by the Reich Leader SS in the matter.

5. In accordance with the instruction given by the Chief of the General Staff of the Armed Forces on the evening of 3 June, the Foreign Office is to be informed of the matter for the following purposes:

a. To make sure that in formulating the communiques of the Reich Leader SS, as well as for all other measures, a suitable form is chosen and that the Foreign Office is consulted on these points.

b. To prepare in advance for protests by the enemy powers, in order to be able to answer them immediately, and to avoid incidents such as those which happened on the occasion of the escape of Anglo-American fliers from the Sagan Camp.

Minister Ritter has already been informed on these matters in a general way by the Chief of the General Staff of the Armed Forces.

II. Until 2300 hours it was impossible to clear up Points 1 and 2 (and in this context also Point 3,) since neither Col. von Brauchitsch nor an SS Leader could be reached at the Bergwald Staff Command. A telephonic discussion with Sturmbannfuehrer Grothmann has been arranged for 4 June at 1000 hours.

[initial] J 4 June

Distribution

Deputy Chief General Staff of the Armed Forces Copy No. 1
Qu. (Draft) Copy No. 2

[Document C]

TOP SECRET

For Officers only
Fuehrer HQ

Deputy Chief of the General Staff of the Armed Forces
No. 771793/44 g.Kdos. Chefs

3 Copies
Copy No. 1

Subject: Treatment of enemy terror fliers

Record of Report

1. On the afternoon of 6 June, Obergruppenfuehrer Kaltenbrunner informed the Deputy Chief of the General Staff of the Armed Forces at Klessheim, that a short time before a discussion in this matter had taken place between the Reich Marshal, the Reich Foreign Minister and the Reich Leader SS. In contrast to the original suggestion of the Reich Foreign Minister, who wanted to include every kind of terror attack against our civilian population, i.e. even bombing attacks on cities, an agreement was reached to the effect that only attacks by aircraft armament aiming direct at the civilian population and their property are to be considered as constituting a criminal act in this sense.

Lynch law would have to be considered as the rule. There was no mention of sentence by court martial and surrender to the Police.

2. The Deputy Chief of the General Staff of the Armed Forces commented as follows:

a. The first important thing now is to follow up the generally worded announcement by the Reich Minister Dr. Goebbels and the several notices of similar tenor which have appeared in the press, by publishing a case of this kind which has been established beyond doubt, giving the name and the troop unit of the flier, the place where the act was committed, and other detailed circumstances. This is necessary in order to prove the seriousness of the German intentions in the face of an incredulous enemy propaganda, and above all in order to achieve our real purpose, which is that of deterring the enemy from committing further acts of murder against our civilian population. Therefore the question arises whether the Security Service is in possession of such a case, whether it has the necessary clues in order to construe such a case with the details required.

Obergruppenfuehrer Kaltenbrunner said no on both scores.

b. The Deputy Chief of the General Staff of the Armed Forces pointed out that apart from Lynch law, preparations must be made for another procedure.

Whereby those enemy fliers, who are suspected of having committed criminal acts of this kind, are isolated upon arrival in the airmen's reception camp at Oberursel, and surrendered to the Security Service for Special Treatment [Sonderbehandlung — SS term for killing], if the suspicion is confirmed.

This matter was being discussed by the Armed Forces General Staff with the Supreme Command of the Air Force, in order to determine the rules which the head of the Oberursel Camp is to follow in this respect.

Obergruppenfuehrer Kaltenbrunner said that on principle he agreed to this intention as well as to the proposal to have those airmen who will be singled out taken over to the Security Service.

c. On the question of publicity it was stated that until further notice an agreement between the Supreme Command of the Armed Forces / Armed Forces General Staff, the Supreme Command of the Air Force and the Reich leader SS was to be reached in every case, in order to decide on the form of publication.

It will be the task of the Armed Forces General Staff to secure the participation of the Foreign Office.

In a discussion with Col. von Brauchitsch (Supreme Command of the Air Force), which took place on 6 June, it was decided that the following acts will have to be considered as act of terror, which justify the application of Lynch law:

a. Low level attacks on the civilian population (individual persons as well as gatherings) by means of aircraft armament;

b. Shooting at our own (German) Aircraft crews, who have been shot down and are hanging from parachutes;

c. Attacks by means of aircraft armament on passenger trains serving public traffic;

d. Attacks by means of aircraft armament on military or civilian hospitals or hospital trains clearly marked with the Red Cross.

These criteria listed under 3 will have to be communicated to the head of the airmen's reception camp at Oberursel. If acts conforming to these criteria are established by interrogations, the prisoners are to be handed over to the Security Service.

In conclusion Col. von Brauchitsch remarked that there was no need to report to the Reich Marshal again on this matter.

(signed) Warlimont

Chief of the Supreme Command of the Armed ForcesCopy No. 1
via chief of the General Staff of the Armed Forces. Copy No. 2

Deputy Chief of the General Staff of the Armed Forces/Ktb
Qu (draft) Copy No. 3

[Notes written on this page by Keitel and Jodl are transcribed by typewriter on the following page of the file.]

Comments by Chief Supr, Command of Armed Forces on Record of Report dated 6 June 1944 No. 771793/44 GK Chefs

"If the people are given a free hand to use Lynch law, it is hard to establish rules!
K.

I am against *court* proceedings! That won't work!

signed K.

Comments by the Chief of the Armed Forces General Staff:

"Concerning No. 3. This discussion is sufficient. Precise rules must be worked out together with the Foreign Office, on the following points:

1. What do we call murder?
Does RR [on the margin in handwriting: "AA?—which stands for Foreign Office] agree to Point 3b?

2. What is the procedure to be?

a. through the people?

b. through official agencies?

3. What is going to be the guarantee that other enemy airmen will not be dealt with in the same way?

4. Are there to be court proceedings as well, or not?

signed "J"

[Document D]

Draft

The Chief of the Supreme Command of the Armed Forces
Armed Forces General staff/ Qu. (verw.1) / No. 771793/44

Fuehrer HQ.
14 June 1944

Subject: Treatment of enemy terror fliers

TOP SECRET
3 Copies
Copy No. 2
TOP SECRET
For Officers only

To the Foreign Office
c/o Minister Ritter
Salzburg

In connection with press notices which have appeared at home and abroad concerning the treatment of terror fliers who have fallen into the hands of the population, there is need for an unambiguous definition of the acts which are to be characterized as criminal in this sense [marginal note in handwriting: "Only for publication though!"] Simultaneously the procedure must be determined which is to be followed in publishing these cases, which have let either to the application of lynch law by the population, or—in case the terror fliers were captured by the Armed Forces or by the Police—to Special Treatment [Sonderbehandlung—SS term for killing] by the Security Service.

By agreement with the Supreme Command of the Air Force, I intend (Scil. to issue) the letter herewith enclosed in draft form; this is to serve as an instruction to the Commandant of the Airmen's Reception Camp at Oberursel. It relates to those incidents which, on the basis of investigations at that camp, prove to be suitable for isolating the perpetrator, because a suspicion has been confirmed, and for handing him over to the Security Service.

Before any case is given publicity in the press, the radio etc, it is necessary to make sure that name, troop unit, place where the act was committed and other detailed circumstances make up an unimpeachable account, the publication of which will have the intended effect of acting as a deterrent against further acts of murder. In wording the communiques it is necessary to take into account the fact that enemy protests must be reckoned with in every direction. It is intended, by agreement with the Chief of the Security Service and the Supreme Command of the Air Force, that until further notice an agreement between the Supreme Command of the Air Forces, the General Staff of the Armed Forces, the Foreign Office and the Security Service is to be reached, before any case is published, in order to decide on the publication, as well as on its timing and its form.

Please confirm if possible by the 18th of this month, that you agree to the enclosed draft ["enclosed draft" is deleted and "the above formula" is substituted in handwriting] as well as to the proposed procedure regarding publications.

[Document D–Second Draft]

Draft

The Chief of the Supreme Command of the Armed Forces
Armed Forces General Staff/Qu/ (verw.) No. 771793/44 gK

Fuehrer HQ
15 June 1944

TOP SECRET
3 copies
Copy No. 2

Subject: Treatment of enemy terror fliers

TOP SECRET
By Officer's hand only
[in handwriting: "Sent off 17 June 10.30"; initial illegible]

To the Foreign Office
c/o Minister Ritter
Salzburg

For the publication [underscored by hand] of these cases, which have led either to the application of lynch law by the population, or—in case of capture by the Armed Forces or the Police—to Special Treatment [Sonderbehandlung—SS term for killing] by the Security Service, an unambiguous definition is required for these acts, which are to be characterized as criminal in this sense.

By agreement with the Supreme Commander of the Air Force, I intend to lay down the formulas listed below. If occasion arises, these are to serve as instructions to the Commandant of the Airmen's Reception Camp at Oberursel for (scil. dealing with) those incidents, which on the basis of investigations in that camp, prove to be suitable for isolating the perpetrator, because a suspicion has been confirmed, and for handing him over to the Security Service.

1. Attacks on the civilian population (individual persons as well as gatherings) by means of aircraft armament;

2. Shooting at our own (German) aircraft crews, who have been shot down and are hanging from parachutes;

3. Attacks by means of aircraft armament on passenger trains serving public traffic;

4. Attacks by means of aircraft armament on military or civilian hospitals and hospital trains clearly marked with the Red Cross.

Before any case is given publicity in the press, the radio, etc., it is necessary to make sure that name, troop unit, place where the act was committed and other detailed circumstances make up an unimpeachable account, the publication of which will have the intended effect of acting as a deterrent against further acts of murder. In wording the communiques it is necessary to take into account the fact that enemy protests must be reckoned with in every direction. It is intended, by agreement with the Chief of the Security police and Security Service and the Supreme Command of the Air Force, that until further notice an agreement between the Supreme Command of the Air Force, the General Staff of the Armed Forces, the Foreign Office and the Security Service is to be reached before any given case is published, in order to decide on the publication, as well as on its timing and its form.

Please, confirm if possible by the 18th of this month, that you agree to the above formulas, as well as to the proposed procedure regarding publications.

Initial: W [Warlimont?]
initial: K [Keitel]
16 June

[Document E]

Draft

Supreme Command of the Armed Forces Fuehrer HQ
No. 771793/44 gK Chefs. 11. Aug. 14 June 1944
Armed Forces General Staff/Qu. (Verw. 1)

TOP SECRET
2 Copies
Copy No. 2.
Top Secret

Subject: Treatment of enemy terror fliers

For Officer's only

To the Supreme Commander of the Air Force
c/o Col. von Brauchitsch (General Staff)

1. On the basis of the preliminary discussions which have taken place and in agreement with the Reich Foreign Minister and The Chief of the Security Police and Security Service, the following acts will have to be considered as acts of terror, which justify the use of lynch law, or, in the case of prisoners sent to the Airmen's Reception Camp at Oberursel, surrender to the Security Service for Special Treatment [Sonderbehandlung—SS term for killing], if and when suspicion is confirmed:

1. Attacks on the civilian population (individual persons as well as gatherings) by means of aircraft armament;

2. Shooting at our own (German) aircraft crews, who have been shot down and are hanging from parachutes;

3. Attacks by means of aircraft armament on passenger trains serving public traffic;

4. Attacks by means of aircraft armament on military or civilian hospitals and hospital trains clearly marked with the Red Cross.

It is requested that the Reich Marshal's consent to these definitions of acts (scil. of terror) be obtained and that the Commandant of the Airmen's Reception Camp at Oberursel be instructed orally to take measures accordingly.

It is further requested that Reich Marshall's consent likewise be obtained to the proposed procedure for the handling of publicity, as set out in the letter to the Foreign Minister, of which copy is enclosed.

Confirmation in writing is requested, if possible by the 20th of this month.

The Chief of the Supreme Command of the Armed Forces
1 enclosure

[Document E—Second Draft]

Draft
[in handwriting: Chef OKW K.]

Supreme Command of the Armed Forces
No. 771793/404 g.K. Chef. 11 Aug.

Fuehrer HQ
15 June 1944

Armed Forces General Staff/Qu. (Verw. 1)

Top Secret
For officers only

To the Supreme Commander of the Air Force,
c/o Col. von Brauchitsch (General Staff)

On the basis of the preliminary discussions, which have taken place, and after agreement has been reached with the Reich Minister and the Chief of the Security Police and Security Service the following acts are to be considered as acts of terror, which require attention when publishing a case of lynch law, or, respectively, justify the transfer of enemy fliers, who have been made prisoners, of war, from the Airmen's Reception Camp at Oberursel to the Security Service for Special Treatment [Sonderbehandlung—SS term for killing]:

1. Attacks on the civilian population (individual persons as well as gatherings) by means of aircraft armament;

2. Shooting at our own (German) aircraft crews, who have been shot down and are hanging from parachutes;

3. Attacks by means of aircraft armament on military or civilian hospitals and hospital trains clearly marked with the Red Cross.

It is requested that the Reich Marshall's consent to these definitions of acts (scil. of terror) be obtained, and that, if agreement is reached, the commandant of the Airmen's Reception Camp at Oberursel be instructed orally to take measures accordingly.

It is further requested that the Reich Marshall's consent likewise be obtained to the proposed procedure for the handling of publicity, as set out in the letter to the Reich Foreign Minister, a copy of which is attached.

Confirmation in writing is requested, if possible by the 18th of this month.

The Chief of the Supreme Command of the Armed Forces
[initial: Warlimont?]
[initial: Keitel]
1 enclosure 16 June

[Document F]
The Reich Marshal of the Greater German Reich
Adjutant's Office
Adj.-No. 7605/44 g. Kdos.
Berlin W.8
3 Leipziger Str.
HQ
19 June 1944
[initial] "J"
19 June 1940

Subject: Treatment of enemy terror fliers
Reference: Your letter No. 771793/44 g.K. Chefs. 11 Aug WFST Wu. (Verw. 1) 15 June 1944

2 Copies
Copy No. 1

To the Chief of the Supreme Command of the Armed Forces, Field Marshal General Keitel.

[initial] "K"
20 June
[initial] W
22 June

The Reich Marshal has commented on the above letter as follows:

"We cannot control the reaction of the population anyhow. But if possible the population must be prevented from proceeding also against other enemy fliers, in whose cases the above evidence is not forthcoming. Acts as described above can, in my opinion, be dealt at any time by a court of law, since these are acts of murder, which the enemy has forbidden to his fliers."

For (scil. the Reich Marshal)
(signed) Teske
Lieutenant Colonel in the General Staff

[Document G]

18 June 1944

General Staff of the Armed Forces/Qu. (Verw. 1)
Subject: Treatment of Anglo-American terror fliers

Note

1\.
on telephone call from Minister Ritter, 1745 hours

Minister Ritter informs us that the opinion of the Foreign Office cannot be submitted until tomorrow evening, since he himself did not receive our letter until yesterday afternoon and questions must still be cleared with Berlin.

2. Chef Qu. [initial "J"] 18 June
   To be added to previous correspondence
3. (Top Secret Matter) to be filed [these words deleted]

[initial "H"?] 18 June

[Document H]
Foreign Office
No. 466
Berlin W.8 44-46 Wilhelmstrasse [Deleted "Salzburg" inserted instead]
25 June 1944
Top Secret
[initials: Warlimont?]
26 June

With reference to today's telephone conversation I herewith transmit for your preliminary information the draft of a reply to the Chief of the Supreme Command of the Armed Forces in answer to his letter of 15 June—No. WFSt/Qu/ (Verw.) No. 771793/44 gKChefs. 11.Aug. The draft has been submitted to the Reich Foreign Minister.

Since the Reich Foreign Minister is away on travel for several days, he was not able as yet to give his approval to the draft. I must, therefore, reserve the possibility of making changes.

By order
(signed) Ritter

To the Supreme Command of the Armed Forces
c/o Col. Poleck
Strub Barracks

Carbon Copy

Minister Ritter No. 444
Salzburg 20 June 1933

TOP SECRET

Draft

1. To the Chief of the Supreme Command of the Armed Forces
Reference: Letter of 15 June 1944
No. WFSt/Qu. (Verw.) No. 771793/44
gKCehfs.11.Aug.,
Concerning treatment of enemy terror fliers.

On the Whole the Foreign Office is in agreement with the proposed procedure in spite of the obvious objections (scil. which might be made) from the viewpoint of foreign policy and international law.

In examining the matter in detail a distinction must be drawn between the cases of lynch law and the cases of Special treatment [Sonderbehandlung] by the Security Service.

I. In the cases of lynch law the sharp definition of the criminal acts, as given in Nos. 1–4 of the letter of 15 June, is not very important. For one thing no German official agency is directly responsible; death has already occurred before any German agency becomes concerned in the case. Furthermore, the accompanying circumstances will, as a rule, be such that it will not be difficult to represent the case in the most suitable manner when it is published. In the cases of lynch law it will be mainly a question of correctly dealing with the individual case, when it is published. [This last phrase is underscored by hand; on the margin: "That was the whole point of our letter. (initial) Warlimont?]

II. The proposed procedure for the Special Treatment by the Security Service with subsequent publication would be tenable only, if Germany took this opportunity openly to declare herself free from the obligations imposed by the international legal agreements, which are valid at this time and which are still recognized by Germany. When an enemy airman has been captured by the Armed Forces or by the Police and has been delivered to the Airmen's Reception Camp at Oberursel, he thereby has already acquired the legal status of a prisoner of war [this last phrase is underscored by hand; on the margin: "Precisely this is to be prevented by isolating him as proposed" (initial Warlimont?)]. In the Prisoner of War Agreement of 27 July 1929 certain rules have been laid down for the prosecuting and sentencing prisoners of war under criminal law and for carrying out death sentences against prisoners of war. For instance, Article 66 provides that no death sentence must be carried out until three months after protecting Power has been informed of the death sentence: Article 63 provides that a prisoner of war can be sentenced only by the same courts and under the same procedure which are also used against members of the German Armed forces. These rules are so precise that it would be hopeless to try to disguise the fact that they have been violated, by publishing the individual case in a clever manner, [this last phrase is underscored by hand; on the margin: "No.—by means of isolation and Special Treatment, which is to follow immediately" (initial Warlimont?)]. On the other hand, the Foreign Office is unable to recommend that we take this opportunity to formally denounce the Prisoner of War Agreement.

The following might be a makeshift solution: Enemy airmen, who are under suspicion, might at first not be allowed to enter into the legal status of prisoners of war at all: then might be told immediately upon capture that they were not to be regarded as prisoners of war, but as criminals [this last phrase is underlined by hand; on the margin: "yes, that too is possible" (initial: Warlimont?)], and that they were to be handed over not to the authorities responsible for prisoners of war, i.e. a prisoner of war camp, but to the authorities responsible for the prosecution of criminal acts; they might then be sentenced ad hoc by a special summary procedure. If during this procedure accompanying circumstances are revealed by interrogation which make it clear that this special procedure is not applicable to the particular case, then the airmen concerned might, in individual cases, be transferred subsequently [underscored by hand] to the legal status of prisoners of war, by being sent to the Airmen's Reception Camp at Oberursel [on the margin: "Yes"]. Naturally, even this solution would not be a safeguard against accusations being levelled against Germany for having violated the agreements in force, nor would it necessarily be a safeguard against reprisal measures being taken against German prisoners of war. But at least this solution would make it possible to follow a clear line and would relieve us on the necessity of either denouncing the existing agreements or fitting out the publication of each indidividual case with excuses which nobody will believe.

Of the criteria for criminal acts enumerated under figs. 1-4 of the letter of 14 June, those under 1 and 4 are unobjectionable from the legal point of view. Those under 2 and 3 are not unobjectionable from the legal standpoint. However, the Foreign Office would be prepared to ignore this. Perhaps it would be advisable to draw together the criteria under 1, 3, and 4 by saying that any attack on the civilian population by means of aircraft armament will be treated as a crime. The individual criteria under 1, 3 and 4 would then merely have the significance of particularly poignant examples. Nor does the Foreign Office see any reason why attacks on the civilian population in ordinary residences, in motor cars, on river boats, etc., should not be punished [on the margin: "Yes" (initial: Warlimont?)].

The Foreign Office starts from the premise that the use of aircraft armament against the civilian population is categorically forbidden to German fliers raiding England. So far as the Foreign Office knows, the Supreme Commander of the Air Force has issued a prohibition to this effect some time ago. If a general announcement is made, the existence of this prohibition might be pointed out.

III. What has been said above, leads to the general conclusion that the action would have to be based mainly on the cases of lynch law. The Foreign Office is in favor of carrying out the action on such a scale, as really to achieve its purpose, which is that of deterring enemy fliers. But in that case the enemy attacks on the civilian population by means of aircraft armament would have to be exposed propagandistically in quite a different manner than has been the case hitherto.

If this cannot be done in domestic propaganda then at least it should be done in the propaganda abroad. The local German offices concerned, i.e. presumably the police authorities, would have to be instructed, to transmit to a central office in Berlin a truthful report on each such attack, giving details of place, time, and number of dead and wounded. This central office would then have to forward these reports at once to the Foreign Office for exploitation. [On the margin: "Yes".]

Since such attacks on the civilian population by means of aircraft armament have taken place in other countries also, for instance in France, Belgium, Croatia, Rumania, the competent German authorities or government in those countries would have to be instructed to collect (information on) such attacks on the civilian population in like manner, and to exploit them in their foreign propaganda, in collaboration with the German authorities. [On the margin: "Yes".]

IV. In the letter of 15 June the intention is expressed that until further notice an agreement with, among others, the Foreign

Office is to be reached before any given case is published. The Foreign Office attaches particular importance to this, and insists that agreement be secured not only until further notice but throughout the time the action lasts.

By order
(signed) Ritter [deleted]

Draft

[Document I]

Fuehrer HQ
23 June 1944

Supreme Command of the Armed Forces
No. 771793/44 gK,Chefs. 3 Aug WFSt/Qu. (Verw.1)

TOP SECRET
2 Copies
Copy No. 2
TOP SECRET
For officers only

Subject: Treatment of enemy terror fliers.
Reference: OKW/WFSt/Qu. (Verw.1) No. 771793/44 gK.Chefs. 15 June 1944
11. Aug. and your letter Adj. No. 1605/44 gKdos. 19 June 1944

To the Supreme Commander of the Air Force
c/o Col von Brauchitsch (General Staff)

[in handwriting sent off 24 June. initials illegible]

Unfortunately your letter does not show whether the Reich Marshal has approved the definitions of acts, which are to be considered as acts of terror in *publishing* a case of lynch law, and whether he is prepared to give oral instructions to the commandant of the Airmen's Reception Camp at Oberursel to take measures accordingly.

It is requested again that the consent of the Reich Marshal be obtained and if possible communicated to us by the 27th of this Month.

The Chief of the Supreme Command of the Armed Forces
[initials] "JG"
[initials: Warlimont?] 24 June

[Document J]

26 June 1944

General Staff of the Armed Forces/Qu. (Verw.1)
Subject: Treatment of enemy fliers

Note of telephone call
Telephone call from the Adjutant's office of the Reich Marshal (Capt. Breuer):

The Reich Marshal agrees to the formulas communicated to him, regarding the term terror fliers, and also to the suggested procedure. He asks to be informed before the end of the day as to the measures taken.

(signed) Poleck

[Document K]
General Staff of the Armed forces/Qu.(Verw.1)
No. 006988/44 g.Kdos.

30 June 1944
TOP SECRET
3 Copies
Copy No. 1
[initial]: "K" 30 June

Subject: Treatment of enemy terror fliers
[in handwriting:]
Qu,
we must now at last get down to action.
What is still needed for that? [initial: Warlimont?]

Note of Report

I. In the enclosure I submit the draft of a reply from the Reich Foreign Minister to the Chief of the Supreme Command of the Armed Forces. This was sent to the General Staff of the Armed Forces by Minister Ritter.

Minister Ritter informed us by telephone on 29 June that the Reich Foreign Minister has approved this draft: however, he (i.e. the Foreign Minister) has instructed Ambassador Sonnleitner to report to the Fuehrer on the position taken by the Foreign Office, before sending off the letter to the Chief of the Supreme Command of the Armed Forces. Not until the principles established by the Foreign Office have been approved by the Fuehrer, is the letter to be sent off to the Chief of the Supreme Command of the Armed Forces.

11. The Reich Marshal agrees to the formulas communicated to him by the supreme Command of the Armed Forces, regarding the term terror fliers, and also to the suggested procedure.

(signed) Warlimont

Distribution:

Chief, Supreme Command of the Armed Forces.

Via Deputy Chief of Armed Forces General Staff	Copy No. 1
	Copy No. 2
Ktb.	Copy No. 3
Q. (Verw.1)	

[Document L]

[in handwriting:] Draft
To be filed [Top Secret]
H. 19 August

Feuhrer HQ
4 July 1944
TOP SECRET
2 Copies
Copy No. 2

Supreme Command of the Armed Forces
No. 007195/44 gK./WFSt/Qu. (Verw.1)

Reference: 1. OKW/WFSt/Qu.(Verw.1) No. 771793/44 G.Kdos Chefs.11.Aug 15 June 1944
2. The Reich Marshal of the Greater German Reich, Adjutant's Office No. 1605/44 g. Kdos. 19 June 1944

[in handwriting:]
sent off 5 July 1944
[initial: illegible]

To The Supreme Commander of the Air Force
c/o Col von Brauchitsch (General Staff)

Information is requestd as to whether the Commandant of the Airmen's Reception Camp at Oberursel has in the meantime been given instructions conforming to the statement of the Supreme Command of the Armed Forces/Armed Forces General Staff dated 15 June, or when it is intended to do so.

[in handwriting:]
No answer can be obtained
from the Supreme Command
of the Air Force!

By order

J 4 July

[Document M]

[in handwriting:]
File with earlier letters
(TOP SECRET) H 15
5 July 1944

General Staff of the Armed Forces/Qu. (Verw.1)

TOP SECRET

Note

re: "Terror Fliers"

At the noon report on 4 July the Fuehrer gave the following order:

According to press reports, the Anglo-Americans intend in future to carry out air attacks even against small places, which have no importance militarily or from the point of view of war economy, as a reprisal against VI. If this information turns out to be true, the Fuehrer wished the radio and the press to announce that any enemy flier, who participates in such an attack and is shot down in the course of it, will have no claim to be treated as a prisoner of war; as soon as he falls into German hands he will be killed [Insertion in handwriting: ("treated as a murderer")]. This measure shall apply to all smaller places, which are neither military targets, nor traffic targets, armament targets or such like, and therefore have no military importance.

No orders are to be issued at the moment; there is to be merely discussion on such a measure with WR [Armed Forces Radio?] and Foreign Office.

[initial] H/5

PARTIAL TRANSLATION OF DOCUMENT R-124

Shorthand Minutes
of the
54th Conference of the Central Planning Board

Subject: Labor Supply
on Wednesday, March 1st, 1944, 10 o'clock
at the Ministry for Air Transport

Sauckel: Field Marshal, Gentlemen, it goes without saying that we shall satisfy as far as possible the demands agreed upon by the Central Planning Board. In this connection I wish to state that I call such deliveries as can be made by the Plenipotentiary for Labor "possible" by stressing every nerve of his organization. Already on January 4th I had to report to the Fuehrer with the greatest regret that for the first time I was not in a position to guarantee delivery of the grand total of 4,050,000 men then calculated in the Fuehrer's Headquarters for the year 1944. In the presence of the Fuehrer I emphasized this several times. In the previous years I was able to satisfy the demands, at least with regard to the number of laborers, but this year I am no longer able to guarantee them in advance. In case I can deliver only a small number, I should be glad if those arriving would be distributed by percentage within the framework of your program. Of course I shall readily agree if I am now told by the Board: Now we have to change the program; now this or that is more urgent. It goes without saying that we will satisfy the demands whatever they may be, to the best of our ability, with due regard to the war situation. So much about figures!

We have no reason to contest the figures as such, for we ask nothing for ourselves. We are not even able to do anything with the laborers we collect; we only put them at the disposal of industry. I only wish to make some general statements and ask for your indulgence.

In autumn of last year the supply program, inasmuch as it concerns supply from abroad was frustrated to a very great extent; I need not give the reasons in this circle; we have talked enough about them, but I have to state: The program has been smashed. People in France, Belgium, and Holland thought that labor was no longer to be directed from these countries to Germany because the work now had to be done within these countries themselves. For months—sometimes I visited these countries twice within a month—I have been called a fool who against all reason travelled around in these countries in order to extract labor. This went so far, I assure you, that all prefectures in France had general orders not to satisfy my demands since even the German authorities quarreled over whether or not Sauckel was a fool.

If one's work is smashed in such a way, repair is very very difficult. Now for the first time I have been reproached by officers stationed in the East, which was very hard on me, that it was the Plenipotentiary for Labor who did not extract enough men from the East during the last year and thus was responsible if now our soldiers had to fight against the same men whom I should have taken away; for these had become an essential part of the Russian divisions. Thus I have been reproached several times by front officers; and I wish to protest here and now. For the East last year was barred to me. In large areas I was forbidden to take anything from agriculture. I was told: You don't get any men since we have to organize agriculture here, the Donets area too was barred to me, and I was not allowed to extract anything. I had to struggle hard for every individual man whom I wished to extract from the East. Therefore I wish to state expressly here and now that the reproaches made by the front that the men whom I did not extract now fight on the side of the enemy are unjust, since I was entirely kept out of these areas. Such was the situation at the end of the year.

At that time I was very much concerned: we discovered a decrease in the amount of labor employed. Today I am able to report that we stopped that decrease. According to most accurate statistics, which I had ordered, we have today again including foreign workers and prisoners of war, the same number of 29.1 millions which we had in September. But we have added nothing since that time. Thus we dispatched to the Reich in those two months no more than 4,500 Frenchmen which amounts to nothing. From Italy only 7,000 civilians arrived. This, although from 1.12 until today I have had no hour, no Sunday, and no night for myself. I have visited all these countries and travelled through the whole Reich. My work was terribly difficult, but not for the reason that no more workers are to be found. I wish to state expressly, in France and in Italy there are still men galore. The situation in Italy is nothing but a European scandal, the same applies to a certain extent to France. Gentlemen, the French work badly and support themselves at the expense of the work done by the German soldier and laborer, even at the expense of the German food supply, and the same applies to Italy. I found out during my last stay that the food supply of the northern Italians cannot suffer any comparison with that of the southern Italians. The northern Italians, viz. as far to the south as Rome are so well nourished that they need not work; they are nourished quite differently from the German nation by their Father in Heaven without having to work for their bread. The labor reserves exist but the means of touching them have been smashed.

The most abominable point made by my adversaries is their claim that no executive had been provided within these areas in order to recruit in a sensible manner the Frenchmen, Belgians, and Italians and to dispatch them to work. Thereupon I even proceeded to employ and train a whole batch of French male and female agents who for good pay just as was done in olden times for "shanghaiing" went hunting for men and made them drunk by using liquor as well as words, in order to dispatch them to Germany. Moreover I charged some able men with founding a special labor supply executive of our own, and this they did by training and arming with the help of the Higher SS & Police Fuehrer a number of natives, but I still have to ask the Munitions Ministry for arms for the use of these men. For during last year alone several dozens of very able labor executive officers have been shot dead. All these means I have to apply, grotesque as it sounds, to refute the allegation there was no executive to bring labor to Germany from these countries.

I have to tell you, Field Marshal, after repeated inquiry: There is no longer a *genuine* German direction of labor. I have just issued the well known proclamation which the Fuehrer himself had inspired, corrected, and adapted concerning voluntary honorary service. What success this step will have, I don't know yet; it will be very little. But I shall enlarge this voluntary honorary service. The Fuehrer wishes it to be administered exclusively by the Women's Service. Therefore I shall go tomorrow and see the Women's Service and the Women District Leaders of the Women's Service of Germany, in order to insist on the most extensive recruitment by the Women's Service of women above the ages of 45 and 50 years. Something will be attained in that way. There are quite good beginnings in some of the districts. But recruitment must be continuous and uninterrupted, and such things need some time before they run smoothly. Out of the German labor reservoir, however, 60,000 new laborers have been found in the first two months of the year, and the start as a whole has functioned better than I expected. The grand total so far is 262,000. Of these from the East alone there are 112,000. Thus the satisfactory statement can be made that the authorities in charge of what remains of the occupied areas have acknowledged the fact that better results are expected if the available labor is used in Germany than if it is used abroad. The supply of these 112,000 new Eastern workers, mainly men, has made it possible for us to hope for the arrival within the first two months of 262,000 workers.

Then some words about the question of women's labor. I have asked one of my assistants to give you later a survey comparing the English regulations on the national service of women with the German ones. It is perfectly correct to state that England, even if we take into account the difference in the total number available, does not use as many of her women as we do. One ought to abstain therefore from the reproach which is still made against me, that we didn't do enough with regard to the use of women's labor. On January 4th I told the Fuehrer expressly and repeatedly; if he gave me the power to recruit laborers a la Stalin, I should be able to put at his disposal perhaps a million more women. The Fuehrer brusquely and repeatedly refused this. He used the expression that our German long-legged slender women could not be compared with the "kurz-stampfeten" [Austrian dialect term for short-legged, used in a derogatory sense] and healthy Russian women. I for my part also wish to warn against setting too much hope on the usefulness of these women. But I wish to ask you to be sure that I am doing everything in order to put to work everybody who is fit for work, as far as I am able to do within the framework of the Fuehrer's permission, and this by exercising some soft moral pressure as well. In the same way I have directed all my assistants to examine continuously the results of the action of January of last year concerning the duty to register and to make sure that the labor exchanges continuously find out and call up the women whose children grow beyond the age in question, and the girls who reach the age groups in question. Thus we do everything possible. * * *

In order to enable me to reach these numbers, two conditions must be fulfilled. First it is indispensable that all authorities which administer the occupied countries must recognize the necessity of fulfilling the demand for labor in the Reich. This so far is not the case everywhere. Especially the protected factories in the occupied countries make my work very difficult. According to reports received within the last days these protected factories are to a great part filled to capacity, and still labor is sucked up into these areas. This strong suction very much obstructs our desire to dispatch labor to the Reich. I wish to emphasize that I never opposed the use of French labor in factories which had been transferred from Germany to France. I am still sound of mind, and as recently as last summer I charged Mr. Hildebrandt with an inquiry in France which had the following result: It would be easy to extract from French medium and small factories (80% of all French factories are small enterprises with only 36-40 working hours)—1 million laborers for use in the transferred factories, and 1 million more for dispatch to Germany. To use 1 million within France should be quite possible unless the protected factories in France artificially suck up the labor completely and unless their number is continually increased, as happens according to my reports especially in Belgium, and unless new categories of works are continually declared protected, so that finally no labor is left which I may use in Germany. I wish here and now to repeat my thesis: A French workman, if treated in the right way, does double the amount of work in Germany that he would do in France, and he has here twice the value he has in France.

I want to state clearly and fearlessly: The exaggerated use of the idea of protected factories in connection with the labor supply from France in my submission implies a grave danger for the German labor supply. If we cannot come to the decision that my assistants, together with the armament authorities, are to comb-out every factory, this fountain of labor too in the future will remain blocked for the use of Germany, and in this case the program described to me by the Fuehrer may well be frustrated. The same applies to Italy. In either country there are enough laborers, even enough skilled workers; only we must have enough courage to step into the French plants. What really happens in France, I do not know. That a smaller amount of work is done during enemy operations in France, like in every occupied country, than is done in Germany seems to me evident. If I am to fulfill the demands which you present to me, you must be prepared to agree with me and my assistants, that the term "protected factory" is to be restricted in France to what is really necessary and feasible by reasonable men, and the protected factories are not, as the Frenchmen think, protected against any extraction of labor from them for use in Germany. It is indeed very difficult for me to be presented to French eyes as a German of whom they may say: Sauckel is here stopped from acting for German armament! The term "protected factory" means in France nothing but that the factory is protected against Sauckel! This is what the Frenchmen think, and they cannot be blamed for it; for they are Frenchmen and before their eyes the Germans disagree in their opinions and actions. To what degree the creation of protected works is expedient and necessary at all is not for me to decide. I can only state how the effect of creating them touches the work expected to be done by me. On the other hand, I have grounds for hoping that I shall be just able to wriggle through, first by using my old corps of agents and my labor executive, and secondly by relying upon the measures which I was lucky enough to succeed in obtaining from the French Government. In a discussion lasting 5–6 hours I have exerted from M. Laval the concession that the death penalty will be threatened for officials endeavoring to sabotage the flow of labor supply and certain other measures. Believe me, this was very difficult. It required a hard struggle to get this through. But I succeeded and now in France Germans ought to take really severe measures, in case the French Government does not do so. Don't take it amiss, I and my assistants in fact have sometimes seen things happen in France that I was forced to ask: Is there no respect any more in France for the German lieutenant with his 10 men? For months every word I spoke was countered by the answer: But what do you mean, Mr. Gauleiter, you know there is no executive at our disposal; we are not able to take action in France! This I have been answered over and over again. How, then, am I to regulate the labor supply with regard to France. There is only one solution: The German authorities have to cooperate with each other, and if the Frenchmen despite all their promises do not act, then we Germans must make an example of one case, and by reason of this law if necessary put Prefect or Mayor against the wall, if he does not comply with the rules; otherwise no Frenchman at all will be dispatched to Germany. During the last quarter the belief in a German victory and in all propaganda statements which we were still able to make, has sunk below zero, and today it is still the same. I rather expect the new French ministers, especially Henriot, will act ruthlessly; they are very willing and I have a good impression of them. The question is only how far they will be able to impress their will on the subordinated authorities. Such is the situation in France. In Italy the situation is exactly the same, perhaps rather worse. We have no executive, we are told, and the Italian nation is morally so hopelessly corrupted that only pure force gives any hope for success.

Moreover, I am insulted, and this grieves me most, by the statement that I was responsible for the European partisan nuisance. Even German authorities reproached me thus, although they were the last ones who have the right to make such statements. I wish to protest against this slander, and I can prove that it is not I who is responsible. From the General District of Kiev, and this from the town itself and the near surroundings I extracted 100,000 men for labor, and in Kiev there were no partisans. The Kiev district was the quietest of all. In 1942 and 1943 I hardly extracted one man from the Minsk District, and was not able to do so, since I was to a great extent barred from this district. The Minsk district, however, was the chief partisan area, and even a Gauleiter has been murdered there. If there had been no measures of labor supply, many more partisans would be in action than there are now; for there would be many more unemployed among the foreign nations. These countries are indeed not able to exist unless they produce the things which Europe wants from them, and since the planning of production for the whole of Europe is done exclusively and solely by Germany, all these nations are indebted to Germany alone and to nobody else for the fact that they have bread and work. The measures increasing the labor supply for Germany and the occupied countries therefore has the effect of giving useful work to gangs of unemployed men. If this had not been done, the gangs would have become partisans. Furthermore, partisan warfare has appeared in every Eastern revolution for centuries and Stalin did nothing but incorporate into his strategic plans in a masterly way the assistance offered by partisans of the Polish, Ukrainian, and other areas known from history. Similar considerations apply to France. I have been answered that such things never had happened in France, that it was nothing but a consequence of German labor measures that these bands made their appearance there. To which I can only reply that those who say so obviously forget the whole of France's history, e.g. what happened in the 1870-71 war. Then too franc-tireurs operated in France. Even if there were no labor measures, the English would drop arms from their planes and would certainly find unemployed willing to pick them up.

Indeed, we too commit mistakes, this is only human. I only intended to acquaint you, Air Marshal, with the actual difficulties used by enemy and German authorities alike to oppose the German labor measures. It goes without saying that the ideal solution would consist in transferring the whole of manufacturing in these countries, and, as the saying goes, in bringing the work to the workers.

Numerous German authorities, even such as had no connections with economics and labor supply, inquired of me: Why do you fetch these people to Germany at all? You make trouble for this area and render our existence there more difficult. To which I can only reply, it is my duty to insist on it that labor supply comes from abroad. There is no longer a German labor supply. That the latter is exhausted I already proved by my ill-famed manifesto of April of last year. But I am not able to transfer the German soil to France. Nor can I transfer the German traffic to France nor the German mines. Nor can I transfer German armament works which still have to release part of their workers, if fit for war service, nor their machines. Here alone 2,500,000 men are in question as has been calculated in the Fuehrer conference. This is the flower of German workers who go to the front and must go there. I have always been one of those who say: if only energetic measures are applied in fetching labor from abroad, then we want to release in God's name everybody from armaments work whom we can, in order to strengthen our companies. The 1st and 7th Armored Divisions are frequently mentioned in the War Report. I can only tell you that the number of soldiers killed in battle in some Thuringian villages has surpassed for some time already the number of soldiers killed in the World War, by twice that amount. This I mention in my capacity as Gauleiter. It is for this reason that we have to do our duty. The best kind of German men, and men in the prime of life, have to go to the front, and German women of more than 50 years of age cannot replace them. Therefore I have to continue to go to France, Belgium, Holland and Italy, and there will be a time again when I shall go to Poland and extract workers there as fit and as many of them as I can get. In this circle I only wish to urge that you spread it around that I am not quite the insane fellow I have been said to be during the last quarter of a year. Even the Fuehrer has been told so. It goes without saying that just this slander has had the effect that I was unable to deliver in the last quarter at least 1½ million workers whom I would have been able to deliver as long ago as last year, had the atmospheric conditions been better. It was due to that "artificial atmospheric screen", that they did not arrive. I am aware that they simply have to arrive this year. My duty to the Fuehrer, the Reich Marshal, Minister Speer, and towards you, gentlemen, and to agriculture is apparent, and I shall fulfill it. A start has been made, and as many as 262,000 new workers have arrived, and I hope and am convinced to be able to deliver the bulk of the order. How the labor is to be distributed will then have to be decided according to the needs of the whole of German industry, and I shall always be prepared to keep the closest contact with you, Gentlemen, and to charge the labor exchanges and the district labor exchanges with intimately collaborating with you. Everything is functioning if such collaboration exists.

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Milch: I now proceed to the important question where we will still be able to get greater amounts of laborers from you, and without a doubt the answer is, from abroad. I have asked Mr. Schieber to make a short appearance here in order to give his opinion on Italy. I agree with your statement, Gauleiter, that it is only the bad organization of our work abroad which is responsible for the fact that you can't do your job. Too many people meddle in your work. If someone tells you, there is no executive in France and Italy, I consider it an impudence, a foolish and stupid lie uttered by people who either are unable to think or consciously state an untruth. This kind of person is not interested in giving a clear lead in this respect and in analyzing the situation, probably because he is not smart enough. In this way, however, your work is rendered more difficult or frustrated, and all armament work at the same time. For we have it before our eyes what close relations exist between the situation in the occupied countries and that in the armaments industry. A more foolish policy can hardly be conceived. In case the invasion of France begins and succeeds only to a certain degree, then we shall experience a rising by partisans such as we have never experienced either in the Balkans or in the East, not because this would have happened in any case, but only because we made it possible by not dealing with them in the right manner. Four whole age groups have grown up in France, men between 18 and 23 years of age, who are therefore at that age when young people moved by patriotism or seduced by other people are ready to do anything which satisfies their personal hatred against us—and of course they hate us. These men ought to have been called up in age groups and dispatched to Germany; for they present the greatest danger which threatens us in case of invasion. I am firmly convinced and have said so several times; if invasion starts, sabotage of all railways, works, and supply bases will be a daily occurrence and then it will be really the case that our forces are no longer available to survey the execution of our orders within the country, but they will have to fight at the front, thereby leaving in their rear the much more dangerous enemy who destroys their communications, etc.

If one had shown the mailed fist and a clear executive intention, a churchyard peace would reign in the rear of the front at the moment the uproar starts. This I have emphasized so frequently, but still nothing is happening, I am afraid. For if one intends to start to shoot at that moment, it will be too late for it; then we have no longer the men at our disposal to kill off the partisans. In the same way, we are aware of the fact that their supply of arms in the west is rather ample since the English are dropping them from planes. I consider it an idiotic statement if you, Gauleiter, are accused of having made these men into partisans. As soon as you arrive, the men run away to protect themselves from being sent to Germany. Then they are away, and since they do not know how to exist, they automatically fall into the hands of the partisan leaders; but this is not the consequence of the fact that you wish to fetch them, but of the fact that your opposite number, the executive, is not able to prevent their escape. You simply cannot act differently. The main crux of the problem is the fact that your work is made so extremely difficult, and this is why you cannot deliver the 4,050,000 workers. As long as it is feasible for these men to get away and not be caught by the executive, as long as the men are able not to return from leave and not to be found out on the other side, I do not think Party Comrade Sauckel, that you will have a decisive success through employing your special corps. The men even then will be whisked away unless quite another authority and power is on the watch, and this can only be the army itself. The army alone can exercise effective executive authority. If some say they cannot do this kind of work, this is incorrect for within France there are Training Forces stationed in every hole and corner town and every place which could at all be used for this work. If this would be done in time, the partisan nuisance would not emerge, just as it would not have done in the East if one had only acted in time. Once I had this task at Stalingrad. At Taganrog there were then 65,000 men of the Army, and at the front one lieutenant and 6 men were actually available for each km, and they would have been only too glad if they had 20-30 for their assistance. In the rear there were a great mass of men who had retreated in time and squatted down in the villages, and who now were available neither for fighting at the front nor for fighting the partisans. I am aware that I am placing myself in opposition to my own side, but I have seen such things happen everywhere, and can find no remedy but that the army should assert itself ruthlessly. You, Gauleiter Sauckel, the Reich Marshal, and the Central Planning Board ought to report on this question to the Fuehrer, and then he ought to decide at the same time on the duties of the Military Commanders. There ought to be orders of such lucidity that they could not be misunderstood, and it is then that things will be in order. It never can be too late to do so, but these duties and this work will be more difficult to perform with every passing day. The same applies to Italy as well.

Schieber: The Gauleiter some time ago discussed this question in detail with General Leiers, and they succeeded in reaching quite a comprehensive agreement. In my opinion there are still a considerable number of people in Italy who could be extracted there, especially if it is possible, which is not for me to decide, to increase vastly the method, so much recommended by your collaborators of transferring whole firms. It was only a few days ago that 200 to 400 men were transferred together with very little difficulty. I am favoring this method especially for the reason that in my opinion it will nip in the bud any tendency to take to the woods and to become partisans. Where the Plenipotentiary for Labor transfers the entire personnel of a firm, this personnel is being transferred as an entity; this also presupposes the existence of some human solidarity between the members of that entity. The Gauleiter will meet even more difficulties in the transfer of these Italians than he has to overcome in France because the Italians have extraordinarily strong family ties. We notice this fact more all the time. One has to meet these difficulties half-way. On the whole we of the production branch in Italy are quite agreeable to extract laborers from Italy. Our collaboration with your offices is functioning without friction. We attach special importance to our desire that these workers for whom we no longer have work in Italy, ought not to be left to loaf about for too long, but ought to be caught and sent to Germany. Outside the protected factories, too, there still remains in Italy a relatively vast reservoir of labor, and if this reservoir is drawn upon in the way arranged by the Plenipotentiary for Labor by the people from the armaments authority, and by our special commissioner, if especially the problem of transfer of wages is solved, I consider the transfer of a nice amount of labor from Italy as being quite possible. I should be glad, however, if right from the beginning any discussion by offices concerned or not concerned with it, about the possible consequences of the action should be prohibited; such a discussion could only disturb the peaceful development of production in Italy.

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Sauckel: I wish to insist on combing out the protected factories in the future also, for the protected factories are working like a suction pump; and since it is known everywhere in Italy and France that every worker if he works in a protected factory is protected against any attempt of mine to extract him, it is only too natural that the men are pouring into these factories. How difficult my task becomes thereby is proved by the following fact. I intended to extract from Italy a million workers within the quarter ending May 30th. Hardly 7,000 arrived in the two months which expired so far. This is indeed the difficulty. The bulk enters the protected factories, and only the chaff remains for my purpose to send them to Germany. At least I hope to accomplish that with regard to larger enterprises as the number of protected factories is restricted in Italy, i.e. the number of protected factories will not be further increased.

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Sauckel: This indeed is the decisive question, the one we are dealing with now. If half of the program for 4 million workers to be brought to Germany (this means 2 million) cannot be fulfilled, the employment of labor in Germany will fall off this year. The more useful workers, however, are in France, and of course in Italy too, employed in the protected factories. Therefore if I am not to touch the protected factories which are situated in these countries, this will have the effect that the less valuable workers instead of the more valuable type will arrive in Germany. And here we have to ponder about what is in fact more important and expedient. If we give up using these people in Germany, where we effectively rule the factories, where moreover we keep to a different labor discipline and reach better labor results than in France proper, then we give up the valuable kind, and then I shall only be able to transport to Germany the less valuable kind of people who still can be found on the streets of France or Italy, or people like waiters, hairdressers, small folk from tailor shops etc.

Milch: What is the percentage of protected factories in Italy compared with the whole of Italian labor?

Schieber: I think 14% but I have not got the figures here.

Milch: Would not the following method be better? We could take under German administration the entire food supply for the Italians and tell them: Only he gets any food who either works in a protected factory or goes to Germany.

Sauckel: True, the French worker in France is better nourished than the German worker is in Germany; and the Italian worker too, even if he does not work at all, is better nourished in the part of Italy occupied by us than if he works in Germany. This is why I asked the German food authorities over and over again to improve also the food of the German worker introducing the "factory sandwich". When I am in Paris of course I go to Maxim's. There one can experience miracles of nourishment. He still thinks that in these countries only very rich men, who can go to Maxim's are well provided with food. Thereupon I sent my assistants to the Paris suburbs, to the estaminets and lunch restaurants and was told that the Frenchmen who eat there did not feel the shortage caused by the war to any degree comparable with what our nation has to experience. The average French citizen too can still buy everything he wishes.

(Interruption: This is still more so in small places!) Yes. Moreover, the Frenchman can pay for what he can get. Therefore he has no reason for wishing to go to Germany in order to get better food.

This unfortunately is the case.

Milch: Is there nothing we can do? True, we might not be able to control the distribution to the customer, but we ought to be able to intervene at an earlier stage of distribution.

Koerner: We have requested from France really immense amounts of food; these requests have always been fulfilled; often after some pressure, but they have been fulfilled.

Milch: But there is a simple remedy: let us cease supplying the troops from Germany, but tell them to provide the food for themselves from France. Then in a few weeks they will have everything eaten up, and then we can start distributing the food to the Frenchmen.

Koerner: In France there still is for the time being a rationing system. The Frenchman had his ration card on which he receives the minimum. The rest he provides in other ways, partly by receiving food parcels which we cannot touch at all. Every year we increased our food demands to the French Government who always satisfied them, though very frequently yielding to pressure, and in proportion to the harvest results, were they good or bad. In Italy the situation is that food is not rationed at all. The Italian can buy and eat what he wants, and since an Italian has always money and deals in the black market, he is in much better situation than our German worker who practically has nothing but what he gets on his card.

Milch: But don't we even send food to Italy?

Koerner: We are exchanging certain goods.

Sauckel: Moreover we are now at the point that the families of French and Italian workers are no longer in a better position owing to the money transfer if their bread-winning members are working in Germany than if they remain abroad; now nothing remains to induce them to go to Germany.

Milch: And the second question is this: Will it be possible at all to catch and transfer the 80% who are not employed in protected factories considering the lack of a so-called executive and divergence of opinions with regard to that problem. Wouldn't you be in a position with the political and organization conditions in France being what they are to transfer as much as about 10–15% who are the most valuable out of this 80%.

Sauckel: I simply have to extract them.

Milch: But are you able to?

Sauckel: Today I can't promise anything. Today I can only do my duty.

Milch: What I mean is, whether or not all your attempts to get this 80% must necessarily fail, by reason of the several adverse facts: first that there is nothing which could induce the men to go to Germany; secondly, that the men expect Germany to be defeated within a measurable space of time; thirdly, that they cling to their family and country; fourth, that they are work-shy anyway, since they are able to exist without working for their bread and anyway look upon this time as a transitional stage which they will be able to survive. And on our side the fact that the Army does not assist you, and that the German authorities disagree with each other, which fact the Frenchmen ably use for their advantage.

Sauckel: This is no longer correct since my last visit. All German authorities, the Military Commander, Field Marshal Rundstedt, Field Marshal Sperrle assisted my task with fervor.

Kehrl: May I explain in brief the opinion of my Minister? Otherwise the impression might be created that the measures taken by Minister Speer had been unclear or unreasonable and I do wish to prevent this from happening. Seen from our viewpoint the situation is as follows: Up to the beginning of 1943 manufacturing for the use of Germany was done in France only to a relatively modest extent, since generally only such work was transferred for which German capacity did not suffice; these were some few individual products, and moreover some basic industries. During all this time a great number of Frenchmen were recruited and voluntarily went to Germany.

(*Sauckel:* Not only voluntarily, some were recruited forcibly.) The calling-up started after the recruitment did no longer yield enough results.

Sauckel: Out of the 5 million foreign workers who arrived in Germany, not even 200,000 came voluntarily.

Kehrl: Let us forget for the moment whether or not some slight pressure was used. Formally, at least, they were volunteers. After this recruitment did no longer yield satisfactory results, we started calling-up according to age groups, and with regard to the first age group the success was rather good. Up to 80% of the age group were caught and sent to Germany. This started about June of last year. Following developments in the Russian war and the hopes raised thereby in the Western nations, the results of this calling-up of age groups became considerably worse, as can be proved by the figures noted; vis. the men tried to dodge this call-up for transport to Germany, partly by simply not registering at all, partly by not arriving for the transport or by leaving the transport on its way. When they found out through these first attempts that the German executive either was not able, or was not willing to catch these shirkers and either to imprison them or take them forcibly to Germany, the readiness to obey the call-ups sank to a minimum: Therefore relatively small percentages were caught in the individual countries. On the other hand, these men moved by the fear the German executive might after all be able to catch them, did not enter French, Belgian, or Dutch factories, but took to the mountains where they found company and assistance from the small partisan groups existing there.

Secret

Stenographic report of the
58th discussion
of the
Central Planning

Subject: Coal
on Thursday, 25 May 1944, 1600 hours
Berlin, Pariser Platz 4

Dr. Koppert/Lm.
25.5.44.

Pleiger: Will you please look at the diagram No. 3, it shows the whole personnel in the pit-coal mines. There you can see at what time we began using foreign labor. That was at the end of 1941. Furthermore, you can see how, consequently, the use of German labor declined and the share of the eastern workers and the Russian Ps/W rose. On the top is added a further large proportion of Italians. But if you take the next diagram on the number of scheduled personnel and the number of actual personnel you can see clearly how steeply the curve drops; the same with lignite. It would be necessary to find here some means of improvement. If you note that 800,000 Russians Ps/W are working at places in Germany where Italians could be used just as well, it would be possible to transfer from among those 800,000 Ps/W about 150–320,000 people to the mines. Italians are of no use in the mines; the Italians cannot stand it, they are physically not strong enough, it won't even work if strong arm methods are used. The Russians, however, are developing excellently. In any case such a solution should be tried. If the situation in the West deteriorates, if we can do no more in Belgium and the North of France we shall be able to overcome the difficulties in Lorraine and Luxembourg only by a very big increase in the direction of labor to the Ruhr region.

Kehrl: I believe there are 2 possibilities to solve the difficulties. Contrary to Pleiger, I believe that we cannot do entirely without the Italians, and especially because we can procure trained Italian miners. We have stopped practically all mining in central Italy because we have no transportation for the material anyhow. As far as the Italians there who worked as miners are concerned, they should be transferred and used sensibly in our mining industry, because the physical strain in Germany is not substantially different from that in Italy. We could free at least 20,000 miners. Perhaps one could adjust the proportion between lignite and pit-coal by transferring miners accordingly. Of course, we would then have to X-ray the Ps/W. By an exchange system something could be achieved.

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Kehrl: Will you please look at page 29 of the report. You can see from it how the reduction which represents a considerable amount, has been worked out. The reductions are: among the Germans 4½%, among the foreigners 5%, and among the recruited.

Pleiger: Those are Bulgarians, Hungarians, Belgians, etc. They do not stay put as a matter of course. It is impossible to make them stay.

Kehrl: They go away their time expires. Among the eastern Ps/W workers one reckons with a loss of 20% of the total, among Immi (?) with a 40% loss.

Pleiger: Among the eastern workers the loss has increased so much because we received these people from the land. They were with farmers before they were sent to the mines. When they came from the farmers each of them had a package containing sausage, bacon and bread, etc. In this way the farmers thought they would return to them. In fact, the result was staggering in favor of agriculture. The people simply cannot be kept in the mines in the long run. If they have once been on the land, they leave us again. This tendency is to be noted all along the line, in the Ruhr even worse than in the Upper Silesian region.

Rohland: Is there no possibility of sending all foreign fugitives to educational camps for 2–3 months? About 30 to 40,000 people per month would be involved. These are quite considerable figures. The result of the education is fantastic. I have the firm conviction that these people could be used in the mines.

Speer: We shall consider that later.

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Speer: Now, the labor problem in Germany. I believe it is still possible to transfer some from the western territories. The Fuehrer stated only recently he wishes to dissolve these foreign volunteers as he had the impression that the army groups were carting around with them a lot of ballast. Therefore, if we cannot settle this matter ourselves, we shall have to call a meeting with the Fuehrer to clear up the coal situation. Keitel and Zeitzler will be invited to attend in order to determine the number of Russians from the rear army territories who can be sent to us. However, I see another possibility; we might organize another drive to screen out workers for the mines from the Russian Ps/W in the Reich. But this possibility is none too promising.

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Speer: We have come to an arrangement with the Reichsfuehrer SS as soon as possible so that Ps/W he picks up are made available for our purposes. The Reichsfuehrer SS gets from 30 to 40,000 men per month. First of all, they have to be divided up. From what classes do these people come, anyhow? There certainly is a certain percentage of miners among these people who are picked up. These few thousand men have to go to the mines automatically. Certainly, some educational work has to be done. The men should be put into the factories as convicts. But they have to return to the factories where they were before. Furthermore, we could perhaps bring the people from agriculture to the mines. A great number leave, and the people do not go to the mines, but go home.

Dr. Jaenicke/
Secret State Secret

36th Conference
of the
Central Planning

concerning: Plan for 1943/44 regarding coal economy
on Thursday, 22 April 1943, 1550 hours at the Festival
Hall at the Zoo, Jebenstr.

Speer: Throughout the winter we have seen that in the last instance it is coal which provides the basis for all plans we wish to execute in other respects, and most of you are also aware of our intention to increase the manufacture of iron. Here also it will again be coal which in the last instance will tip the scales, whether or not we shall be able to accomplish this increase of iron production. Seen from the Central planning, we are of the opinion that the demand for coal as well as the demand for iron ought to be coordinated in a separate plan, and that this plan ought to receive about the same degree of urgency as the Krauch-plan, and that with regard to labor, the conditions required for the execution of that plan must be established. Perhaps Mr. Timm will be able to state how he expects the question of the miners to be developed; unfortunately the miners cannot be taken from the German reservoir, in their place we shall have to use very strong foreigners.

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Timm: At the moment, 69,000 men are needed for hauling that coal. We want to cover this by finding within the Reich 23,000 men, viz. healthy prisoners of war, etc. who are especially suitable for mining—and by dispatching 50,000 Poles from the General Government. Out of these about 30,000 men have been supplied up to April 24th, so that about 39,000 men are still outstanding for January to April. The demand for May has been reported to us as being 35,700. The difficulties existed especially with regard to recruitment in the General Government, since in every district surrounding Germany there is an extraordinary resistance to recruitment. In all countries we have to change over more or less to registering the men by age groups and to conscripting them in age groups. They do appear for registering as such, but as soon as transport is available, they do not come back so that the dispatch of the men has become more or less a question for the police. Especially in Poland the situation at the moment is extraordinarily serious. It is well known that vehement battles occurred just because of these actions. The resistance against the administration established by us, is very strong. Quite a number of our men have been exposed to increased dangers, and it was just in the last two or three weeks that some of them were shot dead, e.g. the Head of the Labor Office at Warsaw who was shot in his office, and yesterday another man again. This is how matters stand presently, and the recruiting itself even if done with the best will remain extremely difficult unless police reinforcements are at hand.

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It was expected that at the end of the month 50,000 men should have arrived from the General Government. Unfortunately this could not be done. Only 3–4,000 men of them have arrived, and 8,000 more are on the way, so that the gap is rather considerable.

Speer: Of those men one can indeed only absorb a portion each month.

Sogemeier: We have provided a plan for stages: April 26,000, May 30,000, June 30,000, July 50,000, and September 56,000. If the men arrive in these stages and numbers, we should be able to reach the 290 millions of tons, provided that no miners are otherwise called up.

Speer: Are these additional labor supplies? Are these numbers which you wish to build up?

Timm: Yes, they include the losses which we expect!

(*Milch:* Yes, including the 70,000!)

Speer: I take it that the losses are included in these numbers?

Timm: Yes, this is not building-up, but distribution, if I understand rightly. As said before, we hope to dispatch within the next month 50,000 men from the General Government. Including the men shifted from other districts there will be 73,000 which should cover the first two months. It would be very difficult for us to increase the number in the next two months, since we have to provide agriculture with the remaining requirements which are due within the next two months, whereas in the months beginning with June the need of agricultural labor can be satisfied much easier by measures taken inside Germany. In the harvest months German labor can be called up for assistance. Only during the season for the harvesting of root vegetables is the situation difficult.

After what General Commissioner Sauckel found out in the East during his now completed tour of inspection, it would be possible to dispose of more Russian labor again in the ensuing months. How many of them will be men, can at the moment hardly be guessed, since it is the army especially who wish to release from the East women, but to keep the men there, because they are needed for all kinds of urgent work.

Speer: May I propose an inquiry on the question as to what Russian laborers are used at the moment as auxiliary laborers in the armament factories, in essential war business or otherwise; this should be done separately from these who in the meantime have learned a trade. We can indirectly exchange auxiliary industry workers with Russian women, and we will be able in this way to provide the mining industry with Russian prisoners of war who now do clearing up labor in the court-yards.

Timm: I would also propose such indirect exchange for the essential industry as well.

Speer: The towns also were provided some time ago with Russian Ps/W for sweeping roads, etc.

Timm: Not many will be found there. If we look for greater numbers of Ps/W, we shall find them repairing tracks at the railways, and it will not be easy to extract them there, since they need grown-up and vigorous men.

(*Speer:* But the Russian women do that kind of work!)

Ganzenmueller: We need the men, and it is out of the question to extract men from there. We use them now as railway guards also, and we have to do this, since no other people are available.

Timm: Then we are going to draw up a statement showing where Russian prisoners of war and civilians are still used anywhere in the industry, except those who are employed after having gone through training.

Speer: Including also agriculture. Trained people cannot be extracted. I should object at once in my capacity as General Commissioner for Armaments, if now trained men would be extracted again from the armament factories. The works manager will go slowly mad if he has to train new people over and over again. But to extract in order to send them to the mines. But their employers must receive other laborers in exchange.

Rohland: This would be impossible for the foundries. We need 35,000 additional women, whom we could employ at once, but we do not get them. We have already assented to the exchange of 35,000 eastern laborers, but we must get them as soon as the mining industry gets its men. This is understood.

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Sogemeier: This labor demand applies solely to pit-coal. As to lignite, we need an additional 25,000 men in the course of the next months.

Speer: This is exactly the same in the other mining industries, including ore.

Kehrl: 85% are needed for coal pits, the remaining mining industry ought to get additions in proportion.

Speer: You should add up the numbers. We cannot approach the Reich Marshal with numbers for a single industry.

Timm: Altogether it amounts to 70,000 for coal and 14,000 for the remaining mines, potassium included.

Speer: We do it this way: Kehrl collects the demands for labor necessary to complete the coal-and-iron-plan and communicates the numbers to Sauckel. Probably there will be a conference at the Reich Marshal's in the next week, and an answer from Sauckel should have arrived by then. The question of recruitment for the armaments industry will be solved together with Weger.

Kehrl: I wish to urge that the allotments to the mines should not be made dependent on the recruitment of men abroad. We were completely frustrated these last three months because this principle had been applied. We ended December with a deficit of 25,000, and we never get replacements. The number must be made up by men from Germany.

Speer: No, nothing doing!

Kehrl: We are completely stuck. I wish to point out that for a year now we feed the mining industry with promises only, and always are we pressed by the pits. They have received only half of the amount they were promised last year.

Speer: That they were only put off is not true. It was something too which they got in the meantime. Let us not hide our candle under the bushel!

Kehrl: If all is said and done, we are in such a precarious situation that trouble is certain if one considers the ever increased program of the armaments industry. No we have drawn the plan for May. This plan cannot in fact be executed, since the 1st of May is a holiday. The other day already we did not know how we could make it right. 800,000 T of coal fall out by reason of observing the 1st May. Compared with such numbers we are not served by a slow increase in haulage. The mines must receive their allotment in one stroke.

Speer: Out of the question! If Sauckel is able to promise the amount which he tries to get,—

Timm: He quite expressly stated he cannot promise to dispatch 50,000 men from the General Government.

Speer: But Russia has to be added to it!

Timm: Owing to the military events the influx which we had up to December has stopped at once. We received formerly 10–

12,000 men in the three last months 60,000 altogether. This is how the number has gone down.

Kehrl: We now have to touch the reserve which we cannot miss on the other side. Pleiger some time ago wired Sauckel, and reports like that from the Foundry East also came from other works.

Speer: This has been clarified already by an ordinance and a letter from me to Sauckel; from the coal pits, the foundries and the Ivan-program as such no labor will be extracted, and from the age groups only the auxiliary laborers who can be taken at the spot from the 3–4 age groups in question.

Kehrl: In this case the labor again will be taken from agriculture.

Speer: In relation to the whole of the population the number employed by the "Mountain Foundry East" is immaterial.

Timm: The Gauleiter returned this morning after he spent 7 days on the other side, and told me on the telephone he had spoken there with all competent authorities and they promised him to deliver until August a number not far below 1 million, consisting of men and women. Nobody can predict how many will be men.

Kehrl: The far greater number will be women.

Speer: These women we can use in the Reich. There are a great number of Russian Ps/W and laborers who are employed at places where they need not be employed. There can be an exchange. The only thing is to do this with unskilled workers, and not to take the workers from the industry where they were trained with difficulty.

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Kehrl: Where we are late in completion of a task, or where we lose an opportunity, we can make up for it. But any coal which we cannot haul at once, is definitely lost for use in this war. This is why we cannot do enough to force the allotment to the pits.

Speer: But not by forcible actions in smashing what we toilsomely built.

(*Kehrl:* We need not do that!) You ought to add the conscripted labor.

Timm: We must endeavour to get German men for working at the coal-face.

Kehrl: We subsist on foreigners who live in Germany.

Timm: These men are concentrated within a very small area. Otherwise there might be trouble in this sector.

Speer: There is a specified statement showing in what sectors the Russian Ps/W have been distributed, and this statement is quite interesting. It shows that the armaments industry only received 30%. I always complained about this.

Timm: The highest percentage of Ps/W are Frenchmen, and one ought not to forget, that it is difficult to employ them at the coal-face. The number of Russians living within the Reich is small.

Rohland: In the mines one should exclusively use eastern people, not western ones.

Speer: The western men collapse!

Sogemeier: May I point out how much we are on the way down? In comparison with the end of February, before the start of the SE-action, we lost every day 40,000 T of pit-coal, only because we did not get replacements for the allotment promised to us; we were supposed to have our losses replaced in the proportion of 2 for 0. The proportion is still 1 for 1.

Speer: I have been given a note according to which the mines received in the first quarter of 1943, therefore at the same time when the call-ups took place, an additional 18,000 men.

Sogemeier: At the beginning of the year we had still to receive out of earlier demands about 26,000 men. To that number there are to be added 26,000 men owing to the SE-action, if we take a proportion of 1 for 1. The Central Planning had promised us in March 15,000 men for use in a planned increase of haulage. Altogether we received only 18,000 men. This means that in fact we had not even the remainder of the request for the preceding year, and moreover that we had not yet received replacements for the SE-action in proportion of 1 for 1. Now Field Marshal Keitel wants to know whether the mining industry was in a position to release another 14,000 men. In our present situation this is entirely out of the question. If we lose another 14,000 men they could be taken only from the most vigourous age groups of the coal face workers. It is easy to calculate to what extent the haulage would go down in such a case. We urgently ask to protect us from further calling-up in the mining industry.

Speer: At least it cannot be undertaken until replacement labor is available in such a way that they all have been trained. It cannot be done at a moment's notice.

Kehrl: Before August we cannot discuss such a thing. A decrease of 40,000 tons a day means a yearly deficit of 14 million tons.

Speer: Timm will find out in collaboration with Weger and the District Economic Offices [Landeswritschaftsaemter] where Russians suitable for mining are still employed as auxiliary laborers. They will be exchanged man for man against Russian women or other replacements received by us and suitable for their work, and the Russians will be turned over to the mining industry. It would only be preferable to make a preliminary examination of these men, since of the people engaged we always found only one half of them to be really suitable. The pre-examination of these men in the factories should set a stricter standard. After the final numbers have been found out and discussed with Timm, a detailed statement has to be prepared for use in the Reich Marshal's conference.

Sogemeier: May I put a question connected with this matter? Russians are still being combed-out from the mining industry who had been more or less trained metal-workers. This leads to difficulties, since Russian prisoners of war, when they learn of this fact, come forward at once and state they had been metal workers.

Speer: The intention was to comb out these Russians solely for use in the industry which services the needs of the mining industry. This is clearly stated with regard to the mines. In that case you surely have no objections?

Sogemeier: No, if the industry which serves the mines, is receiving them, I do not object.

Kehrl: In case of doubt the serving industry is not getting them! As soon as they are discovered, the Russians are snatched away for more urgent work. For instance, we have experienced that people while being on their way to us, have been redirected when they had arrived in Cologne. Only a certain percentage of them arrives as a rule, a rather high percentage is taken away for different use.

Speer: But the number of men released as metal workers is established. Therefore, it must be possible to find out how many of these men have arrived at the serving industry. You are able to find that out, Mr. Sogemeier. We on our part had agreed with Sauckel that they are to be extracted solely for the serving industry. This was in compliance with Pleiger's express request to that effect.

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Speer: In any case we ought to force the coal production with all our power. I now have here a statement on the distribution of the Soviet prisoners. There are 368,000 altogether. Of these are: 101,000 in agriculture, 94,000 in the mining industry—who are not available in any case,—15,000 in the building materials industry, 26,000 in iron and metal production where they cannot be extracted either, 29,000 in the manufacture of iron, steel, and metal goods, 63,000 in the manufacture of machines, boilers, and cars, and similar appliances, which means in armaments industry and 10,000 in the chemical industry. Agriculture thus has received by far the most of them, and the men employed there could in the course of time be exchanged for women. The 90,000 Russian Ps/W employed in the whole of the armaments industry are for the greatest part skilled men. If you can extract 8–10,000 men from there, it would already be the limit.

Kehrl: Would it not be possible to add Serbians, etc.?

Sogemeier: We ought not to mix too much.

Rohland: For God's sake, no Serbians! We had very bad experiences with mixing.

Speer: We distribute by starting from a production of 290 million tons which is quite considerable. If the conditions on which such a production can be reached cannot be fulfilled this will influence the supply of household coal to a very great extent. This we ought to point out to Sauckel, viz. that the psychological effect on the population will be a considerable one in case he cannot provide the necessary labor.

Meinberg: Especially since the transports of laborers always arrive 1½ months later than promised; for this means a loss of 10% production intended to be accomplished by the additional laborers. In that case the 290 million tons can never be reached, but 280 million at the most. The delay alone in supplying the labor has that effect.

Speer: What are your proposals for our further action, Kehrl?

Kehrl: If the labor supply is secured by appropriate measures we have no problem as to its distribution. This problem of distribution, however, is insoluble, if we have to distribute the labor for a production of less than 295 million tons, i. e., if we produce less than 282 million tons. According to what Timm just said and what we have discussed, we shall not reach our goal. He wants to take 22,000 men from inner Germany, moreover 10,000 Russians Ps/W, altogether 32,000. To supply the rest, we wait for God in Heaven and the Government General. Judging by our earlier experience we shall not get them. The gentlemen of the Government General had to cancel the recruitment owing to the danger for their lives, since they were unable to recruit at all in certain areas. The least we have to reckon with are therefore great delays, and each delay means great loss of production because there is less hauling.

Timm: All these numbers are estimates, and nobody can guarantee their correctness. I made a point of mentioning the difficulties. But I am enough of an optimist to believe that we shall be able to attain these numbers. I also said we hope to supply in May the outstanding labor from the Government General despite all the difficulties. If one estimates pessimistically one never arrives at a conclusion.

Kehrl: Our risk with regard to coal, however, is too great. All honor to the optimist, but it seems out of the question that we could get as much as we need. We cannot afford to take a risk in this matter.

Speer: Who is in a position to give you a guarantee for a 100% certainty?

Kehrl: We have to employ the men who are already in this country. This is the only possible guarantee.

(*Speer:* Absolutely out of the question.)

In relation to the number of men already working for us the 20,000 to 30,000 men whom we wish to extract are a very small number. They are of decisive importance for the entire industry. We employ altogether 24 million men. If we extract 25,000 directly from our people, this does mean nothing for the manufactures, but would decisively benefit the whole of industry.

Speer: Out of the question!

Schieber: In my opinion the Commissioner General for Labor ought to proceed in the following manner: action to bring about the immediate release of at least 30,000 laborers from agriculture who will be supplied to the coal mines. In exchange, agriculture which is anyway in urgent need of additional female labor, receives any female labor who arrive. In my opinion the mines today can be supplied only from the sole real reserve of vigorous foreign men which we still have, viz. from agriculture. These men are also well fed and able to do real work.

Speer: Everything depends on the amount of the influx from abroad.

Schieber: If anyway nothing arrives, the mines certainly will get nothing.

Timm: Gauleiter Sauckel is perfectly convinced that the transports will be on their way within a short time. Now the front has been consolidated at last.

Schieber: We ought to be grateful that the weather has allowed the farmer to keep things going in some way despite the little labor being available to him. For the farmer, the coal supply is just as important as for the whole of the armaments industry. When we discuss tomorrow the nitrogen problem we shall see the same: our first need is coal.

Koerner: On the 1st of April we had in agriculture a deficit of about 600,000 laborers. It had been planned to cover it by supplying labor from the east, mainly women. These laborers will first have to be supplied until other laborers are released from agriculture. We are just entering the season where the heaviest work in the fields has to be done, for which many laborers are necessary. Much labor is needed for the hoeing of the fruits, and it is to be hoped that this year the harvest can be started early which would be rendered much more difficult if an exchange of labor would have to take place.

Kehrl: Relatively considered, agriculture is much better provided with labor than the mines. They are still able to undertake improvements which they could not have undertaken in peace-time. We of the mines, on the other hand, have to fight for 20 to 30,000 men. It should not be possible to raise this number out of the 24 millions? The mines are in a bad position because they can use only certain categories of workers. They are fed with hopes of the men promised from the Government General or of Russians. But if these men do not arrive?

Sogemeier: The 30,000 men are but replacements for the men extracted by the SE-action. If we get them we can just haul 260 million tons, in the best possible case, 275 tons. Therefore, we need more men than the 30,000.

Kehrl: I meant this number in an additional sense: added 30,000 men to those expected from the Government General.

Speer: How is the situation in the Protectorate, Mr. Timm? Can we not extract anything from there?

Timm: Discussions on this question had been planned, but were cancelled because of the intended shifting of orders for manufacture in the Protectorate.

Speer: Despite this shifting, the manpower reservoir is still of such size that some could be extracted. Apart from this, we are not in a position to shift orders at wish, but we are already hampered by the power question.

Timm: This is exactly what we expected. But the discussions planned to take place in Prague, have been cancelled.

Speer: The local authorities always maintain that nothing can be released.

Timm: We wanted the discussions in Prague, since we had examined the position and found out that there are far too many skilled workers in some places and that many workers could be extracted. But subsequently we were told by the Ministry, the conference was cancelled because the shifting made it necessary to employ all available labor.

Weger: General Daluege and Gauleiter Sauckel especially wished that you, Mr. Minister, took part in the conference. I agree with Timm, and told Hoersekamp that I do not doubt he could release labor from the General Government despite the shifting because the power question will not be solved in the Protectorate until next year and the year after. Until that time he cannot even use so much labor. Therefore he ought to release some in any case.

Milch: We ought to except certain areas of the Protectorate to which the orders are being directed, and extract nothing there until a surplus is found out subsequently. For the time being it cannot be ascertained. There are enough other areas of the Protectorate which are not affected by the industry plan and some labor could be extracted from them at once. We ought to name the places which are excepted from our action.

Timm: In this the authorities on the other side ought to participate; they are in the best position to tell the places from where nothing must be extracted.

Milch: If one proceeds as I proposed, and Timm agreed to it, no damage can be done. This ought to be done in any case. For the rest I completely agree: we must now supply the mines with labor. The greatest part of labor which we can supply from the East will indeed be women. But the eastern women are quite accustomed to agricultural work, and especially to the type of work which has to be done these coming weeks, the hoeing and transplanting of turnips etc. The women are quite suitable for this. One thing has to be considered: first you must supply agriculture with the women, then you can extract the men, laborer for laborer. It is not the right thing if first the men are taken away and the farmers are left without labor for 4 to 6 weeks. If the women arrive after such time they arrive too late.

Speer: Beyond this we are prepared to release from all parts of the war economy, in exchange for women, any Russian Ps/W or other Russian who is employed as auxiliary laborer.

The Commissioner for the Four-Year Plan Central Planning
Berlin W 8, 24th Une 1943
3 Leipziger Strasse

Z.P. 148

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State Top Secret

Results of the 42nd session of the Central Planning Board, on the 23rd June 1943. 16 hrs.

Coal situation

The man-power situation in the coal mining industry, particularly in the hard coal mining industry, is still unsatisfactory, and necessitates an extension of the measures decided upon at the 36th session of the Central Planning Board, held on the 22nd April 1943.

The intensive discussion yielded as the most expedient solution the use of Russian prisoners of war to fill the existing vacancies. The more homogeneous character of the shifts will bring about the necessary higher output resulting both from an increased capacity of such shifts and particularly from a restriction of fluctuations.

1. The present drive, which is to be carried out throughout the German economy proper, aims both at freeing Russian labor, fit for work in the mining industry and actually not employed as semi-skilled workmen, and at replacing it by additionally imported labor consisting of Eastern workers, Poles, etc. Thus, about 50,000 workmen are expected to be made available up to the end of July 1943. This drive is to be accelerated.

Furthermore as an immediate measure it should be suggested to the Fuehrer—RVK [Reichvereinigung Kohle, Reich Coal Association] and GBA [Generalbevollmaechtigter fuer den Arbeit-

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seinsatz, Plenipotentiary General for Labor] submitting the necessary figures for the statement to the Fuehrer, that 200,000 Russian prisoners fit for the heaviest work be made available from the Wehrmacht and Waffen SS through the intermediary of the Chiefs of the Army Groups [Heeresgruppenchefts]. The prisoners will be selected on the spot by medical officers of the mining industry and officials of the office of the Plenipotentiary General for Labor Control (GBA) will take charge of them there and then. Provisions are to be made for an extension of this program in order to satisfy any demand for man power, which will have accumulated up to the end of the year 1943.

The man power needed by the mining transport industry [Begbau-Zubringer-Industrie] and by the iron producing industry [Eisenschaffende Industrie] may be supplied from that same source provided that the necessities of the coal mining industry have previously been adjusted.

The performance of the Soviet Russians so employed is to be raised by a premium system [Praemien-system]. For this purpose, the ban on pay restrictions is to be lifted and the manager [Betriebsfuehrer] be allowed to distribute amongst the workmen, according to his duty and discretion, RM1.—per head per day as premium for particular services rendered.

Furthermore, care will be taken, that workmen can exchange these premiums, which will be paid out in camp money [Lagergeld] for goods. It is intended to put at their disposal various provisions (e.g. sunflower seeds, etc.) beer, tobacco, cigarettes and cigars, small items for daily use, etc.

The Reich Ministry of Food [Rem-Reichs-Ernaehrungs-Ministrium] in conjunction with the Reich Association "Coal" [RV "Kohle"] and the Reich Ministry of Economic Affairs [RWM-Reichs Wirtschafts-Ministerium] will clarify the question whether further improvement can be granted as far as rations are concerned.

2. Equally in occupied countries, labor is to be tied more securely to the various factories by means of the distribution of additional ration cards as premium for good services. This refers in particular to the Government General and the occupied territories in the east [Ostgebiete]. The output demanded of the Government General is to be fixed at the proposed amount, and the additional rations for armament workers may then be rated accordingly.

Dr. Gramsch
[typewritten signature]

Present:

Reichsminister Speer	
Generalfeldmarschall Milch	
Staatsrat Schieber	Reich Ministry for Armament and Ammunition
Oberburgmeister Liebel	Reich Ministry for Armament and Ammunition
Major General Waeger	Reich Ministry for Armament and Ammunition
Dr. Ing. Groener	Reich Ministry for Armament and Ammunition
Praesident Kehrl	Reich Ministry of Economic Affairs
Min. Dir. Gramsch	Four Year Plan
Min. Dirig. Timm	Office of the Plenipotentiary General for Labor Control [GBA]
Staatsrat Pleiger	Reich Association "Coal" [RVK]
Dr. Sogemeier	Reich Association "Coal" [RVK]
Dr. Rosenkranz	Reich Association "Coal" [RVK]

Stenographic Transcript of the 53rd Conference of the Central Planning

Concerning Supply of Labor
on February 16, 1944 10 o'clock
in the Reich Air Ministry

(Present: Milch (for Central Planning), Dehrle, Berk, etc.)

Milch: The armament industry employs foreign workmen to a large extent: according to the latest figures—40%. The new directions by the Plenipotentiary General for Manpower are mostly foreigners and we lost a lot of German personnel which was called up. Specially the air industry being a young industry employs a great many young people who should be called up. This will be very difficult as is easily seen if one deducts those working for experimental stations. In mass production the foreign workers by far prevail. It is about 95% and higher. Our best new engine is made 88% by Russian prisoners of war and the other 12% by German men and women. 50–60 Ju 52's which we now regard only as transport planes are made per month. Only 6–8 German men are working on this machine: The rest are Ukrainian women who have beaten all the records of trained workers:

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Milch: The list of the shirkers should be entrusted to Himmler's trustworthy hands who will make them work all right. This is very important for educating people and has also a deterrent effect on such others who would likewise feel inclined to shirk.

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Milch:

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It is, therefore not possible to exploit fully all the foreigners unless we compel them by piece work or we have the possibility of taking measures against foreigners who are not doing their bit. But if the foreman lays hands on a prisoner of war or smacks him there is at once a terrible row, the man is put into prison etc. There are sufficient officials in Germany who think it their most important duty to stand up for human rights instead of war production. I am also for human rights. But if a Frenchman says: "You fellows will all be hanged and the chief of the factory will be beheaded first" and if then the chief says "I am going to hit him" then he is in a mess. He is not protected, but the "poor fellow" who said that to him is protected. I have told my engineers "I am going to punish you if you don't hit such a man; the more you do in this respect the more I shall praise you. I shall see to it that nothing happens to you". This is not yet sufficiently known. I cannot talk to all factory-leaders. I should like to see the man who stays my arm because I can settle accounts with everybody who stays my arm. If the little factory-leader does that he is put into a concentration camp and runs the risk of losing the prisoners of war. In one case two Russian officers took off with an airplane but crashed. I ordered that these two men be hanged at once. They were hanged or shot yesterday. I left that to the SS. I expressed the wish to have them hanged in the factory for others to see.

State Top Secret
Stenographic Notes
of the
22nd Conference
of the
Central Planning

Concerning the Direction of Labor on Monday 2 November 1942 at 1200 hours in the Air Ministry.

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"*Milch:* I believe that agriculture must get its labor quota. Assuming we could have given agriculture 100,000 more men, we would now have 100,000 more men who would be more or less well fed, while actually the human material which we receive generally—above all the Ps/W—are not in good enough condition for work"

Secret

Stenographic Transcript of the
23rd Conference of the
Central Planning

concerning Iron Quotas
Held on 3 November 1942, 1600 hours in the Reich Ministry for Armament and Munitions, Berlin, Pariser Platz 3

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Speer: Well, through the industry, we could deceive the French by telling them that we would release for their use all prisoners of war who are rolling mill workers and smelters if they would only give us the names.

Rohland: We have established our own office in Paris. I see, you mean, the French should report the smelters who are prisoners of war in Germany.

Milch: I would simply say you get two men in exchange for one of these.

Speer: The French firms know exactly which prisoners of war are smelters. Unofficially, you should create the impression that they would be released. They give the names and then we have them. Do that.

Rohland: That is an idea!

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Secret. Top State Secret!

Shorthand Minutes of the
33rd Conference of the
Central Planning Board
concerning: Labor Supply
on February 16th, 1943 at 16 hrs.
at the Reich Ministry for Armament and Munitions.
Pariser Platz, Berlin

Timm: I should like to say something about the labor supply possibilities. Perhaps you will permit me to emphasize the negative side a little. The greatest difficulties result from the fact that the supply of labor outstanding could not be fully dispatched from the East, but came in in ever diminishing numbers. One may say that they have almost become completely exhausted. Eastern laborers during the last six weeks arrived only in smaller numbers than in former times, so that they can hardly be included to an appreciable amount on the credit side of the supply account. In any case their numbers are small. The foremost reason is that in former months most transports were dispatched from the Ukraine while the main recruitment areas were those which in the meantime had become operational areas, or even were no longer in our hands. The forecasts we made applied to a large extent to the transport of people from the Caucasus district, the Kuban, from areas like Stalingrad etc. These possibilities no longer exist. We have prepared measures which should enable us to draw more Eastern workers again during the following months. I venture to think that we should be able, on a conservative calculation, to transfer during the month of March between 150,000 and 200,000 laborers from the East to the West.

(*Speer:* Including or exchanging those needed for agriculture?) Including those needed for agriculture. But in my opinion it will be necessary to apply much pressure, since just those districts are concerned which have been pacified to a certain extent, and for the same reason will not be very much inclined to release labor. This is calculated on the assumption that some labor has to be released also from the eastern and northern parts of the East.

The second area, capable of releasing a considerable amount of labor is the Government General, and that for the January estimate which has been drawn up with particular caution as I again wish to emphasize. We expect that the figures will rather be surpassed than not reached. I think we can expect a number of 40,000, of which, it is true, a part will have to be given to agriculture, if we intend no more than to cover the losses which we had to inflict last autumn.

Beyond this it ought to be possible in my opinion, to employ within the Reich, and especially for the mining industry, part of the Polish Building Service. I venture to think one ought to enlarge this organization in such a way that more age groups than so far are called up for it, since this procedure is functioning. The younger age groups which in fact are especially suited for mining could be dispatched to the Reich. In this case the supervisors who are provided for the greatest part by the Building Service, will be needed only in very small numbers in the Reich.

The next area would be the Protectorate on which I cannot make a final statement today. We have been promised for the month of March about 10,000 laborers. But I am of the opinion that some loosening-up is possible. The Commissioner will soon in a personal visit take in hand the possibility of this loosening-up.

France is included in the account with 100,000 laborers for March. Messages which I received permit us to hope that this number will be increased in the middle of March. Belgium is included with 40,000, Holland with 30,000, Slovakia with 20,000, who, it is true, are exclusively suited for agriculture, since their share of individual workers has been completely delivered. This item consists exclusively of agricultural laborers, owing to a State treaty. For the remaining part of the foreign areas I included another 10,000. This amounts altogether to 400,000 laborers who should arrive in March. One might be entitled to add for the last month altogether 10,000 prisoners of war. These are men to be drawn from the East. It can be expected that this number might under certain conditions be surpassed, since the High Command intends especially for operational reasons, to take the prisoners of war back to the Reich, particularly from the areas threatened by the enemy. A former item concerns the fluctuation of labor which certainly amounts to about 100,000 laborers. Then there are items which at the moment cannot be estimated: the yield from the threatened areas and from the "Stoppage-action". Here I cannot venture to name final figures, but I hope to be able to do so next month.

Sauckel: Of course we regret very much that last autumn we were unable to recruit as much as we would have liked in the areas which now are again in enemy hands. This is partly due to the fact that we were not assisted in the degree we had expected. Moreover we were not able to effect the removal of the civil population which had been planned. These events are an urgent reminder of the fact that it is necessary to employ foreign laborers at once and in great numbers in Germany proper and in the actual armaments industry. You may be certain that we wish to achieve this. We have not the slightest interest in creating difficulties for an armaments office, even for those working for German interest abroad, by taking labor away from them to an unreasonable extent. But on this occasion I should like to ask you to try and understand our procedure. We Germans surely have sent to the front between 50 and 75% of our skilled workers. A part of them has been killed while the nations subjugated by us need no longer shed their blood. Thus they can preserve their entire capacity with regard to skilled workers, inasmuch as they have not been transferred to Germany which is the case only for a much smaller percentage than all of us supposed, and in fact they do use them partly for manufacturing things which are not in the least important for the German war economy. If we proceed energetically against this abuse, I ask you to give me credit for so much reason that I do not intend to damage the foreign interests of the German armaments industry. The quality of the foreign worker is such that it cannot be compared with that of the German worker. But even then I intend to create a similar proportion between skilled and workers trained for their job, as it exists in Germany by force of tradition, since it has come about that we had to send men to the front in much larger numbers than we requested France or any other country to do. Moreover we shall endeavour increasingly to bring about on a generous scale the adaptation of the French, Polish, and Czech workers. I do not see for the moment any necessity for limiting the use of foreign labor. The only thing I ask for is that we understand each other, so that the immense difficulties and friction between the respective authorities disappear and the program drawn up by us will by no means be frustrated by such things.

There are without a doubt still enough men in France, Holland, Belgium, the Protectorate, and the Government General to meet our labor demands for the next months. I confess that I expect more success from such a procedure with respect to heavier work or for work where shifts of 10 or more hours are customary, than from relying on the use of German women and men exclusively. We shall have better success by proceeding this way provided the foreign workers still obey, which remains a risk we always run, than by using weaker German women and girls as labor in places of very important armament work, where foreigners may be used for security reasons.

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The situation in France is this; after I and my assistants had succeeded after difficult discussions in inducing Laval to introduce the Service Act this act has now been enlarged, owing to our pressure so that already yesterday three French age groups have been called up. We are now therefore legally and with the assistance of the French government entitled to recruit laborers in France from three age groups, whom we can use in French factories in the future, but of whom we may choose some for our use in Germany and send them to Germany. I think in France the ice is now broken. According to reports received they now have begun to think about a possible break through by the Bolsheviks and the dangers which thereby threaten Europe. The resistance which the French Government has hitherto shown, is diminishing. Within the next days I shall go to France in order to set the whole thing into motion, so that the losses in the East may be somewhat balanced by increasing recruitment and calling-up in France.

If we receive comprehensive lists in time, we shall, I think, be able to cover all demands by dispatching in March 800,000 laborers.

Speer: Recruitment abroad as such is supported by us. We only fear very much that the skilled workers extracted from the occupied countries do not always reach the appropriate factories in Germany. It might certainly be better if we acted in such a way that the parent firms of Germany which work with the French and Czech factories would comb out the foreign works more than before for their own use.

Sauckel: We made an agreement with Field Marshal Milch. You will get the factories which are urgently needed for your airplane motors, etc.; these will be completely safeguarded. In the same way I promised Grand Admiral Doenitz today that the U-Boat repair firms proper are absolutely safeguarded. We shall even be able to provide our own armament factories on French soil with labor extracted from French factories, in the main from the unoccupied territory where there still are metal works which have their full complement of skilled workers without even having been touched so far.

Hildebrandt: May I point out at this point that we have to put up with the loss of the Italian workers this year. This, according to present discussions, concerns 300,000 men altogether, or 15 to 20,000 a month. If we deduct the first installment, the remaining ones to a great part are just highly skilled metal workers.

Sauckel: This is a request of the Fuehrer, but he has not yet finally decided.

Hildebrandt: But we have been told to be prepared to lose these men.

Speer: We ourselves quite support the combing-out abroad. On the other hand we must be entitled—and this was agreed—to exclude or prefer particular kinds of work, e.g. the armour factories. In France we are more and more turning towards giving up finishing processes, and stressing the sub-contracting. It is the foundries and similar works, e.g. for the use of the aluminum industry, which we wish to use to capacity. We could force the production of Opel, so that in this case Peugeot who manufacture the forged parts for Opel, the parent firm, might demand more labor for this while the rest of their workers would be taken over by Opel.

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Milch: With regard to France there is in France an industry which manufactures complete aeroplane motors and spare parts. We have transferred to France the manufacture of everything which can be made there without impairing secrecy. These are training planes, transport planes, etc. However since we wish to make better use of these possibilities we have transferred to a great extent the manufacturing of parts. The complete product must be kept secret from the French; but in every secret appliance there are only a few parts which in fact are to be kept secret. The bulk is made up of the other parts; their manufacture has been transferred to France to a great extent, in the same manner we have started the employment of many construction engineers there. Today there is continuous work in France for several thousand construction engineers. The industry which works in France for our benefit, needs today 20,000 men who must be provided by us, in order to fulfill the program. The production lags far behind the program agreed upon. While we fulfill in Germany the whole of the program, it is being met in France by only 30%. True, it is now on the increase since we intervened during the last weeks and months. On principle we have kept the State out of this collaboration with French industry, and have had the German firms deal with the French (firms). They are called sponsor firms so that now this system works. This system has not been completed everywhere, but it is on the way all over, and we have had rather good results. We are often told we have almost the whole of Europe at our disposal.

But the production which we receive from France is insignificant, except for army cars. The whole potential French production is not used by us so far, but only a small percentage. If we were not forced to produce in France, since many facilities, rooms, machines, etc., cannot be transferred to Germany, if the housing of workers were not so difficult, etc., then we might prefer to transfer everything to Germany and let all work be done here. But we would have too great losses in production apart from the restiveness of the men. Yesterday we made an agreement. I am very grateful that this matter will now be put right on the spot by you, Gauleiter Sauckel, together with General Von Der Heyde and Colonel Brueckner. It is most difficult to get French laborers to Germany. These things cannot be decided or regulated by authorities, but only a sponsor firm has the necessary means of finding out about it. I therefore propose to make use of sponsor firms, especially since in France the system of sub-contracting is very much developed. Behind a factory which organizes the whole business, as far as is known from the outside, there are in fact other factories employed in preparation and semi-fabrication. But our sponsor firms would be able to comb-out these sub-contractors as well. We ought to charge our people with combing out all these firms and to find out what men work for our program. Who does not will be snatched by us.

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Of course a front exists somewhere in the East. This front will be held for a certain time. The only thing which the Russians inherit, if we evacuate an area is the population. The question is whether we had not better make it a rule to take the population back first as far as 100 km. to the rear of the front. All the civil population will be taken back 100 km. behind the front. There are no trenches now for which labor would be needed.

Timm: We tried to take the population of Kharkov back. But the officer commanding the fortress of Kharkov requested 90-120,000 people only for the construction of field works so that we had to provide even complete railway trains.

Weger: They were even undertaking demolitions.

Milch: But this is done by the Engineers. Any hope of getting prisoners of war from the East, hardly exists today.

Sauckel: If any prisoners are taken there, they will be needed.

Milch: We have made a request for an order that a certain percentage of men in the A. A. Artillery must be Russians. 50,000 will be taken altogether; 30,000 are already employed as gunners. This is an amusing thing that Russians must work the guns. The last 20,000 are still outstanding. Yesterday I received a letter from the Army High Command, in which they say they could release not a single man, they themselves have not enough. Thus this measure will not be successful for us.

[Extracts on the Subject of Deportations and Forced Labor From Speer's Minutes of his Meetings with Hitler]

Fuehrer-Protokolle 1942 19th August 1942.
[Page 514]
Record of conferences with the
Fuehrer on 10, 11 and 12 August 1942

42. Gauleiter Sauckel promises to make Russian labor available for the fulfillment of the iron and coal program and reports that—if required—he can supply a further million Russian laborers for the German armament industry up to and including Oct. 1942. So far, he has already supplied 1 million for industry and 700,000 for agriculture. In this connection the Fuehrer states that the problem of providing labor can be solved in all cases and to any extent; he authorizes Gauleiter Sauckel to take all measures required.

He would agree to any necessary compulsion [Zwangsmassnahmen] in the East as well as in the West if this question could not be solved on a voluntary basis.

Signed: Speer

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Fuehrer-Protokolle 1942
[Pages 477-478] Berlin, 29 Sept. 1942
Minutes of conferences with
the Fuehrer on September 20th, 21st and 22 1942
13–14

36. I pointed out to the Fuehrer that, apart from an insignificant amount of work, no possibility exists of organizing armament-production in the concentration camps, because

1. the machine tools required are missing
2. there are no suitable premises.

Both these assets would be available in the armaments industry, if use would be made of them by a second shift.

The Fuehrer agrees to my proposal, that the numerous factories set up outside towns for ARP reasons, should release their workers for supplementing the second shift in town factories and should in return be supplied with labor from the concentration camps—also two shifts.

I pointed out to the Fuehrer the difficulties which I expect to encounter if Reichsfuehrer SS Himmler should be able, as he requests, to exercise authoritative influence over these factories. The Fuehrer, too, does not consider such an influence necessary.

The Fuehrer however agrees that Reichsfuehrer SS Himmler should draw advantages from making his prisoners available; he should get equipment for his division.

I suggest to give him a share in kind (war equipment) in ratio to the working-hours done by his prisoners. A 3–5% share is discussed, the equipment also being calculated according to working hours. The Fuehrer would agree to such a solution.

The Fuehrer is prepared to order the additional delivery of this equipment and weapons to the SS, according to list submitted to him.

Signed: Speer

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STATE TOP SECRET

Berlin 10 July 1943

[Pages 252-253]

Discussion with the Fuehrer
8 July 1943

17. The Fuehrer laid down in the coal discussion that 70,000 Russian prisoners of war fit for mining work should be sent each month to the mines. He also pointed out that an approximate minimum of 150,000–200,000 fit Russian prisoners of war must be earmarked for the mines in order to obtain the required number of men suitable for this work.

If the Russian prisoners of war cannot be released by the Army, the male population in the partisan infested areas should without distinction be proclaimed prisoners of war and sent off to the mines.

The Fuehrer ordered at the same time that these prisoners of war who are not fit for the mines should immediately be placed in the iron industry, in manufacturing and supply industries and in the armament industry.

The Fuehrer further ordered that he should receive a monthly report giving

A. the total number of Russian prisoners of war.

B. the number of Russian prisoners of war fit for mining, who have been made available for the mines and a report addressed to Field Marshal Keitel as to why the remainder could not be used.

The joint report of Sauckel and Pleiger is also to be sent to me.

Signed: Speer

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[Page 168]

Ministeramt (Minister's Office)

Records of the discussions in the Fuehrer Headquarters on the 6th and 7th December 1943

22. Reported to the Fuehrer on a proposal worked out by Dr. Carl, relating to "Aktion Russland" (Action Russia) and left detailed data to him for examination. The Fuehrer points out again that my suggestion was good, that only a surprise-action is worthwhile and that subdivision into three separate actions, as proposed by the Luftwaffe, does not appear suitable.

Signed: Speer

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[Page 139]

State Top Secret

Points from the Conference (Saur) with the Fuehrer on the 5th March 1944, jointly with General Field Marschall Milch, General der Flieger Bodenschatz, Oberst Von Below

Berlin, 6th March 1944

18. "Told the Fuehrer of the Reich Marshal's wish for the further utilization of the production power of prisoners of war by giving the direction of the Stalags to the S.S. with the exception of the English and Americans. The Fuehrer considers the proposal good and has asked Colonel Von Below to arrange matters accordingly."

Prepared by Saur
Seen by Speer

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[Page 132]

Minutes of Discussions with the Fuehrer on 6th and 7th April 1944

State Secret

Berlin, 9th April 1944.

The Director of the Technical Office
TA Ch S/Kr.

17. "Suggested to the Fuehrer that, due to lack of builders and equipment, the second big building project should not be set up in German territory, but in close vicinity to the border on suitable soil (preferable on gravel base and with transport facilities) on French, Belgian or Dutch territory. The Fuehrer agrees to this suggestion if the works could be set up behind a fortified zone. For the suggestion of setting this plant up in French territory speaks mainly the fact that it would be much easier to procure the necessary workers. Nevertheless, the Fuehrer asks an attempt be made to set up the second works in a safer area, namely in the Protectorate. If it should prove impossible there too, to get hold of the necessary workers, the Fuehrer himself will contact the Reichsfuehrer 'SS' and will give an order that the required 100,000 men are to be made available by bringing in Jews from Hungary. Stressing the fact that the building organization of the [Industriegemeinschaft Schlesien] was a failure, the Fuehrer demands that these works must be built by the O.T. exclusively and that the workers should be made available by the Reichsfuehrer 'SS'. He wants to hold a meeting shortly in order to discuss details with all the men concerned.

Signed: Speer

R-124

[Extracts on the Subject of Deportations and Forced Labor from Speer's Minutes on Meetings of "Central Planning"]

Reichsminister Speer
Minister's Office

Berlin, 24 July 1942
Dr. Goe/W

SECRET

Report on the 11th Conference of the "Central Planning" on the 22nd July 1942

Present:

Reichsminister Speer	
General Field Marshal Milch	
State Secretary Koerner	
Commercial Advisor Roechling	Reich Iron
Dr. Rohland	Association
Dr. Von Bohlen u. Halbach	Association
Dr. Langen	Association
Bergass A.D. Sohl	Association
Gauleiter Sauckel	Commissioner for Labor Control
State Secretary Backe	Reich Food Ministry
General Director Pleiger	Reich Coal Association
Dr. Fischer	Reich Coal Association
Major General V. Gablenz	Reich Air Ministry
Herr Kranefuss	Reich Air Ministry
Ministerial Director Gramsch	4 Years Plan
Ministerial Advisor V. Normann	4 Years Plan
Dr. Schieber	Reich Ministry for
Dr. Stellwaag	Armaments & Munitions
Major Wagner	Reich Ministry for Armaments & Munitions
Major General Becht	Reich Ministry for Armaments & Munitions
Lieutenant Colonel V. Nicolai	Reich Ministry for Armaments & Munitions

Ministerial Advisor Dr. Wissmann	Reich Ministry for Armaments & Munitions
Herr Schlieker	Reich Ministry for Armaments & Munitions
Dr. Goerner	Reich Ministry for Armaments & Munitions

At the conference following on the 10th meeting—the provisions for the increased *iron production* were discussed.

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Assurance of Food Supplies.

A net influx of one million foreign workers is estimated. This figure has not been achieved in the previous months. Even with an intake of more than one million in the coming months the million-boundary will not be overstepped in view of current departures. For this food supply is assured. How far an improvement of the food supplies positions can be made possible through sharper grasp of the production outside Germany * * * [every?] day a train load of the forces working in the east [will be] directed to the coal mines until the figure of 6,000 is achieved. Prisoners of war are being obtained, at present, from camps in the Government General. 51,000 prisoners of war in the Senne-Camp. In the district east of the Government General there are 74,000 prisoners of war available. Up till now an elimination quota of 50% of unemployable people has been reckoned with in the allocations to coal mining. It is considered necessary that not too high demands should be placed on the choice of prisoners of war. The Miners' Union Doctors are to be informed that a different standard is to be laid down for the prisoners of war than for German miners.

For the consecutive order in which the prisoners of war are to be put to work, it will be laid down, that before the metal workers are chosen, the coal mining in the first place and requirements for the loading and unloading-commands in the second place are to be considered.

General Field Marshal Milch undertakes to accelerate the procuring of the Russian prisoners of war from the camps.

Signed: Dr. Eng. Goerner
[Typewritten]

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The Trustee for the Four Years Plan

Berlin, 30th October 1942.

Central Planning

SECRET

Z.P. 6.

Results of the 17th meeting of Central Planning on October 28, 1942, 9.30 a.m.

Increase of Coal Production

1. *Allocation of Labor.*

Coal production in the Ruhr district has increased to 390,000 tons per day. Any further increase depends on whether the requirements for labor are being met. About 104,000 men are required. Furthermore, 7,800 men—originally 16–17,000, requirements having been brought down by rationalization—are needed for the supplying industry, 6,800 of these for the machine industry. 5,000 more unskilled workers are furthermore required to secure the transport of mine-timber which is essential for reason of variety [Sortimmentsgruenden].

The intake capacity of the mining industry for the month of November is 44,000 prisoners of war of which 25,000 are for the Ruhr district, and *12,600* Eastern workers, 7,500 of whom are for the Ruhr district. Total requirements so far amount to 191,000 laborers of whom 90,700 were wanted by the Ruhr district. Up to October 24th a total of 123,000 was allocated. These numbers are still to be checked up by the Transport Committee (R(eichs) V(erkehrs) K(ommission)) and Mr. Sauckel.

According to the Commissioner of Labor (G(eneral) B(eauftragter der) A(rbeit)) the following number of prisoners of war is at present at hand.

Within the Reich on the way and in camp	30,000
Remainder of prisoners of war (outstanding from a total of 150,000 and promised up to the beginning of December)	60,000
At camps in the General Government	15,000

Of these up to December 1st the following can be regarded as available:

Within the Reich	15,000
Of the remainder of prisoners of war	10,000
From the General Government	7,500
total about	32,000

Therefore, as compared to the required 44,000 there is a deficit of about 12,000. Moreover, 10,000 civilian laborers from the East can be put up by exchanges from the agricultural sector which is 2,000 less than required so that the November deficit amounts to 14,000 and, in comparison with the total requirements of the mining industry of 104,000, there is a deficit of 62,000. The deficit increases by the loss figures of prisoners of war the number of which is still to be ascertained by the Commissioner of Labor.

The mining industry is in a position to use any amount of Eastern labor instead of prisoners of war. Therefore, it is to get preference at the combing out of the agricultural sector. There is no objection to a temporary accommodation of Eastern labor at prisoner of war camps (without barbed wire, etc.).

The requirements of the supply industry are to be met by the Red Label method [Rotzettelverfahren]. Constructors [Konstrukteure] are to be provided by canvassing at the French prisoner of war camps for officers.

(typed signature) Dr. Steffler

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Present:

Reichsminister Speer	
Generalfeldmarschall Milch	
Staatssekretaer Koerner	
Staatsrat Schieber	RM. f.B.u.Mun.
Gen. Maj. Becht	RM. f.B.u.Mun.
Oberstltn. v. Nichoai	RM. f.B.u.Mun.
Herr Schlieker	RM. f.B.u.Mun.
Oberberghauptmann Gabel	RWM
Oberst Dr. Krull	RWM
Oberbergrat Otto	RWM
Staatssekretaer Ganzenmueller	RVM
Staatsrat Meinberg	RVM
Min. Dir. Gramsch	V.P.
Min. Rat Steffler	V.P.
Min. Dirig. Timm	GBA
Oberreg. Rat Hildebrandt	GBA
Gen. Dir. Pleiger	RV Kohle
Dr. Sogemeier	RV Kohle
Dr. Fischer	RV Kohle
Dir. Winkaus	Beauftr.f.d. Bergbaubedarf.

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State Secret

Stenographic Transcript
of the
17th Conference
of the
Central Planning

Concerning: Requirements for the increase of Coal Production held on 28 October 1942, 0930 hours at the Reich Ministry for Armament and Munitions, Berlin, Pariser Platz 3

Dr. Eggeling/Sgt.

Hildebrand: Our promises were made on the basis of the 150,000 prisoners of war whom Fieldmarshall Keitel had promised us for this purpose. Of these 60,000 are still missing. Several departments are passing the buck in this matter. General Wagner, the chief of supply, called on me and told me they could not supply them now and wanted time until January. They are now promised for the beginning of December.

As for the quality of the now incoming transports, apparently a weeding out already takes place in the East. The good workers among the prisoners of war are kept back and only those of inferior quality are passed on so that I cannot estimate the value of these 60,000 as high. I think we shall be able to use hardly 60% in mining.

There are, furthermore, 15,000 men in the P/W camps in the General Government. They are all right and will come as soon as the 30,000 have been expedited. Gauleiter Sauckel promised Mr. Pleiger for the coal-industry 10,000 civilian Russians who would be freed by re-directions of labor in agriculture. This was discussed yesterday with Dr. Fischer. There 10,000 men, we think, will be at the disposal of the coal industry in about a fortnight. The total will, therefore, be 115,000. We have, however, to allow for certain reductions according to the physical conditions of the men.

The recruiting of suitable civilian workers over there is very much hampered because we were repeatedly told that our recruiting personnel should give up the whole department Stalino or the Don-Donetz area because the men there were all needed. That a small number of workers from the East would remain because, at present, most of the civilian workers come just from these districts, few from others. In the new territories, among these the Caucasus district, it is still very difficult to come near but the first transports are arriving already.

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Pleiger: I have seen that with my own eyes. I have seen the new prisoners building the briquette-factory near Stalino. I have noticed that those from the Stalino district are first of all deprived of their overcoats and clothing by the Rumanians and Italians. And if one sees these figures—they are too weak to pass even a brick. They are completely down. It can serve no purpose if we send them to a resthome even before we can employ them on the coal surface.

Speer: You must not complain that the Fuehrer has taken away the grain basis from these districts.

Pleiger: No, I state only facts. They demand the coal from us.

Speer: In any case, it is quite possible to replace those prisoners of war who do not come by civilian workers from the East.

Winkhaus: At once, provided that they do not exceed 12,600. If they should be more we would have to prepare camps, remove the barbed wire, etc.

Speer: What about the mixed working. You cannot let Russian prisoners of war work side by side with civilian workers.

Winkhaus: We need not keep them so separate any more to-day.

Fischer: There is still this question. Yesterday we had a call from Austria: they could, of course, adapt Ps/W camps to civilian camps. The coal industry could overcome this question. The workers, however, make difficulties when we put the workers from the East in stables. But if Central Planning sponsors the use of civilian workers from the East then I think we could solve this problem.

Speer: Temporarily, in the long run we must find for them better accommodation than that for Ps/W.

We can, therefore, expect 32,560 Ps/W. Then we have a need of 12,000 civilian workers from the East as mentioned before and 12,000 mentioned now, i.e., a total of 24,000 for the mine proper in November less 10,000 from agriculture. That is a deficit of 14,000 plus 7,500 for industry.

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State Secret

Stenographic Transcript
of the
21st Conference
of the
Central Planning
concerning Supply and Direction of Labor held on 30 October 1942, afternoon at the Reich Ministry of Armament and Munition, Berlin, Pariser Platz 3

Dr. Doerr Bucholz/C
[In the discussion of the labor situation in which Speer, Sauckel, Milch and Timm participated]:

Speer: We must also discuss the slackers. Ley has ascertained that the sicklist decreased to one fourth or one fifth in factories where doctors are on the staff who are examining the sick men. There is nothing to be said against SS and Police taking drastic steps and putting those known as slackers into concentration camps. There is no alternative. Let it happen several times and the news will soon go around.

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Sauckel: We talked of taking the waiters out of the restaurants in Germany. But in this respect we have absolutely an abundance in France, the General Government and the Protectorate. As long as we have not skimmed that off, we could not take the responsibility towards the German people for such a measure. Again a cable of the Foreign Minister has burst into my recent negotiations in France stating that under no circumstances should the Laval Ministry be put into peril. The Fuehrer has said: If the French show no good will, then I shall re-take the 800,000 French Ps/W. If they show good will, then the French wives can follow their husbands to Germany and work there. Of course, he said, I have an interest that Laval remains in power. The Laval Ministry will remain, it depends only on us. And Laval cannot go back after he has reproduced in his speech and spoken before the French passages which he has taken verbally out of my appeal. Only Petain could bring him to fall. I wish to draw your attention to the fact, however, that in France there is a surplus of young men all of whom we could use in Germany. If we expect our people to accept severest restrictions then we cannot admit such luxuries in Paris as e.g. small restaurants with bands of 25 musicians and two waiters per table. I am firmly convinced: If we are brutal also against the others then we can extract quite a considerable number of men out of the General Government—I sent an efficient man, President Struwe, over there—and of the Protectorate. This need not interfere with the armament industry over there. There is, therefore, no fear that the demand could not be met.

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The Commissioner for the 4 Years Plan, Berlin 31st October 1942
SECRET

Central Planning
Z. P. 10

Results of the 21st session of the Central Planning (board) on the 30th Oct. 1942
Labor Allocation November 1942

2. *Supply.* The October program including 300,000 men has been carried out; during November 400,000 have to be provided. The transfer from agriculture involving 200,000 is excluded, so that altogether 600,000 will be available (the transfer from agriculture to forestry (50,000) and the assignment of domestic personnel (140,000) will be separately accounted for).

Concerning the position of prisoners of war, it was decided that the army is not to dispose of units of prisoners of war, which were put into the Todt Organization as whole units. In future, the GBA [Generalbevollmaechtigte fuer den Arbeitseinsatz—Plenipotentiary General for Labor Control] will take care of the prisoners of war from the moment they enter a stalag. The cooperation between the GBA and the Todt Organization is to be organized by discussions between Timm—Dr. Fraenck—Schmelter—Brugmann. The prohibition of recruiting of manpower in the area to the left bank of the river Don is to be applied less vigorously [Staatssekretaer Koerner]. The Fuehrer's decree concerning the prohibition in force in the Caucasus area is to be taken to mean that Gauleiter Sauckel has the order to ensure priority of the man power claim of agriculture and the crude oil exploitation in this region.

Finally, the GBA (Plenipotentiary General for Labor Control) points out that large man power reserves still exist in France, in the General Government and in the Protectorate, which must be utilized before more stringent measures are taken inside the Reich itself. An energetic combing out process will be carried out inside these regions. A further important reserve exists in the possibility of increasing the capacity for work, which may be expected particularly as a result of a better treatment of the Russians.

Dr. Steffler

Present:

Secretary of State Speer
General Field Marshal Milch
Secretary of State Koerner
Gauleiter Sauckel GBA
Ministerialdirigent Timm GBA

Ministerialrat Letsch GBA
Ober-Regierungsrat Hildebrant GBA
Staatrat Schiber-Reichs Ministry for Armament and Munitions
Major Gen. Waeger-Reichs Ministry for Armament and Munitions
Lt. Col. von Nicolai-Reichs Ministry for Armament and Munitions
Dr. Ing. Goerner-Reichs Ministry for Armament and Munitions
Dr. Mommsen-Reichs Ministry for Armament and Munitions
Dipl. Kfm. Teuscher-Reichs Ministry for Armament and Munitions
Ministerial Director Grammsch V. P. (Voraus Personal—Advance Echelon)
Ministerial Rat Steffler V. P.
Colonel Engineer Sellschopp RIM (Reich Air Ministry)
Colonel Rueckner (Reich Air Ministry)
and Lt. Col. Betz (Reich Air Ministry)

TRANSLATION OF DOCUMENT R-129

[Stamp] Personal Staff Reichsfuehrer
SS Document Administration
File No. AR 1/24

The Chief of the SS-Main-Office Economics and Administration

Berlin, 30 April 1942

Ch.Po/Ha
2192/42 g.

Re: Attachment of the Inspectorate of the Concentration Camps to the SS-Main-Office Economics and Administration.

The Reichsfuehrer-SS
Berlin, W 11.
Prinz Albrechtstr 8

[pencilled note] education and supervision remain the same [initials] HH [?]

[Stamp]: Secret

Reichsfuehrer!

Today I report on the present situation of the concentration camp and on measures I have taken in order to carry out your order of the 3rd March 1942.

I

1. At the outbreak of war there existed the following concentration camps:

a. Dachau	1939	4,000	prisoners,	today	8,000
b. Sachsenhausen	1939	6,500	prisoners,	today	10,000
c. Buchenwald	1939	5,300	prisoners,	today	9,000
d. Mauthausen	1939	1,500	prisoners,	today	5,500
e. Flossenburg	1939	1,600	prisoners,	today	4,700
f. Ravensbrueck	1939	2,500	prisoners,	today	7,500

2. In the years 1940 to 1942 nine further camps were erected, viz:

a. Auschwitz
b. Neuengamme
c. Gusen
d. Natzweiler
e. Gross-Rosen
f. Lublin
g. Niederhagen
h. Stutthof
i. Arbeitsdorf

3. These 15 camps conformed to the organization of the old concentration camps in regard to duties, work, composition of the commanding staffs, and discipline of camps for protective custody. Besides these 15 camps the following special duties have been assigned:

a. to SS-Special Camp Hinzert: Commanding staff and guards are under my orders. The camp for protective custody is attached to the Reich-Main-Office-Security. No work-shops, no opportunity.

b. Camp for the protection of youth—Moringen: No workshops.

c. Camp for the protection of youth—Uckermark: Is being erected.

d. Camp for the protection of youth Litzmannstadt: is planned.

4. In the last weeks the Reich-Main-Office-Security and the Command-Authority of the Waffen-SS have applied for SS-Commanders for the Camps planned by these authorities in Riga, Kiew, and Bobruisk.

I think it right to submit such plans to the SS-Main-Office-Economics and Administration, so that they may be planned and carried out uniformly by one authority for SS and Police, so as it is now. There may easily be lack of collaboration and consequently ensuing muddle.

II

1. The war has brought about a marked change in the structure of the concentration camps and has changed their duties with regard to the employment of the prisoners. The custody of prisoners for the sole reasons of security, education, or prevention is no longer the main consideration. The mobilization of all prisoners who are fit for work, for purposes of the war now, and for purposes of construction in the forthcoming peace, come to the foreground more and more.

2. From this knowledge some necessary measures result with the aim to transform the concentration camps into organizations more suitable for the economic tasks, while formerly they were merely politically interested.

3. For this reason I have gathered together all the leaders of the former inspectorate of Concentration camps, all Camp-Commanders, and all managers and supervisors of work on the 23rd and 24th April 1942, I have explained personally to them this new development. I have compiled in the order attached the main essentials which have to be brought into effect with the utmost urgency if the commencement of work for purposes of the armament industry is not to be delayed.

4. The transfer of the Inspectorate of the Concentration Camps to the Main-Office Economics and Administration has been carried out under full agreement of all Main-Offices concerned. The collaboration of all authorities goes on without any friction, the abolishment of lack of coordination in the concentration camps is hailed everywhere as the shedding of the fetters hindering progress.

Heil Hitler!
Signed: POHL
SS-Obergruppenfuehrer and General of the Waffen-SS.
1 enclosure.

Stamp: Personal Staff Reichsfuehrer SS
Document Administration
File No. AR/1/24

The Chief of the SS-Main-Office-Economics and Administration
Ch. Po/Ha. Berlin, 30th April 1942

Distribution: Chief Department D
all Camp-Commanders
all work-managers
all authorities economics

[pencilled note]
agreed
[initials] HH [?]

Order

The instructions and advices given to the camp-commanders and work managers at the occasion of the discussions of 24th and 25th April 1942, are herewith issued as an order to become applicable as from the 1st May 1942.

1. The management of a concentration camp and of all the economic enterprises of the SS within its sphere of organization is in the hands of the camp-commander. He alone is therefore responsible that the economic enterprises are as productive as possible.

2. For the management of the economic enterprises the camp-commander avails himself of the services of the work-manager. The work-manager is bound to report to the camp-commander whether he expects any risks or disadvantages in carrying out an order of the camp-commander with regard to the work or the economic results.

3. By this duty the work-manager becomes jointly responsible if any damages of failures ensue with regard to the work or the economic results.

4. The camp-commander alone is responsible for the employment of the labor available. This employment must be, in the true meaning of the word, exhaustive, in order to obtain the greatest measure of performance.

Work is allotted by the Chief of the Department D centrally and alone. The camp-commanders themselves may not accept on their own initiative work offered by third parties and may not negotiate about it.

5. There is no limit to working hours. Their duration depends on the kind of working establishments in the camps and the kind of work to be done. They are fixed by the camp-commanders alone.

6. Any circumstances which may result is a shortening of work hours (e.g. meals, roll-calls) have therefore to be restricted to the minimum which cannot be condensed any more. It is forbidden to allow long walks to the place of working and noon intervals only for eating purposes.

7. Guard-duties have to be freed from their traditional rigidity and to be made more flexible having regard to the coming tasks of peace. Sentries on horseback, watchdogs, movable watch towers and movable obstacles are to be developed.

8. Much more than before is required from each and every camp-commander if they carry out his order correctly. Hardly any camp is like any other one, therefore no uniform instructions shall be issued. But the whole responsibility is shifted on to the

initiative of the camp-commander. He needs a clear professional knowledge of matters military and economic and he must be a clever and wise leader of men, whom he has to weld into a big potential of performance.

Signed: POHL
SS-Obergruppenfuehrer and General of the Waffen-SS
For correct copy: Schiller
SS-Obersturmfuehrer and Adjutant

TRANSLATION OF DOCUMENT R-133

SECRET

LF 1
Az. 57 h LF 1 No. 3398/39 secret

Berlin 27 July 1939

Note on a conference on 25 July 1939 with the General Field Marshal [Goering] in Westerland.

Present: Generaloberst Milch
State Secretary Koerner
State Secretary Neumann
State Secretary Dr. Landfried
State Secretary v. Burgsdorf
Lt. Col. (Gen. Staff) Huenermann
Col. (Gen. Staff) Ploch
Min. Rat Mueller
Air Chief Staff Engineer Tschersich
Air Staff Engineer Diederichs
Ob. Reg. Rat v. Wedelstedt and Lt. Col. Conrad
Generalmajor Thomas

1. In a rather long statement the Field Marshal explained that the incorporation of Bohemia and Moravia into the German economy had taken place, among other reasons, to increase the German war potential by exploitation of the industry there. Letters, as the decree of the Reich Minister for Economics—S 10 402/39 of 10 July 39—as well as a letter with similar meaning to the Junkers firm, which might possibly lower the kind and extent of the armament measures in the Protectorate, are contrary to this principle. If it is necessary to issue such directives, this should be done only with his consent. In any case, he insists, in agreement with the directive by Hitler, that the war potential of the Protectorate is definitely to be exploited in part or in full and is to be directed towards mobilization as soon as possible.

Since, with full use of the industry of the Protectorate, difficulties of money transfer would exist until the change to the same currency, a way out must be found. According to State Secretary Dr. Landfried the same procedure as in Slovakia might be applied, i.e. "Deposit of Reich treasury notes to cover the amounts of Kronen which are not balanced." But anyway, the change to Reichmarks is planned for 1 April 1940.

2. As regards the question of leaving foreign currency of export firms in the Protectorate, which was brought up by a letter of the Reich protector to the Field Marshal because of a sale of the firm Walter, the Field Marshal consented to its remaining in the Protectorate, provided it is used 100% for the furtherance of the German war potential. In this connection State Secretary v. Burgsdorf explained that two weeks ago a supervisory office for foreign currency traffic had been established in the Protectorate, whose activity could direct the use of foreign exchange. State Secretary Dr. Landfried proposed further to appoint a plenipotentiary for the Czech National Bank who should regulate the foreign exchange allotment for armament purposes only. State Secretary v. Burgsdorf was doubtful about this regulation.

3. In order to arrange the mutual merchandise traffic for armament purposes with the least possible friction, the Field Marshal emphasized the necessity of leaving this merchandise free of duty.

4. The Field Marshal underscored first of all the following principle for export questions:

- *a.* Investigation concerning necessity of secrecy
- *b.* Investigation of the receiving country
- *c.* Investigation of "what is offered"
- *d.* Investigation of the own need for the merchandise to be given.

The offer to Italy regarding delivery of 88mm AA was outlined by the Field Marshal as follows:

Deliveries are only permissible to a certain extent after reaching the peak of capacity ordered for our purposes. It is necessary that Italy deliver to us the raw materials necessary for Italian deliveries, i.e. *somewhat* more than is necessary for production.

Concerning the various countries, the Field Marshal consented to the work on the following contracts on the basis of the talk by Ministerialrat Mueller, and made the following decisions respecting them:

a. Bulgaria: Delivery of Czech planes (about 148 and ground equipment) is to be made quickly. The contract for German equipment (10 Me-109 and 10 DO-215) can be worked on in 4-6 weeks, since Bulgaria cannot be excluded from this equipment because of the deliveries to Rumania and Yugoslavia.

b. Rumania and Yugoslavia: The Field Marshal was first informed that the Czech equipment is refused and that, due to the situation, the ordering countries cannot suffer postponement of the date of delivery to Spring 1940. Because of the special agreement concerning petroleum deliveries, the Field Marshal therefore permitted the planned contract with Rumania, i.e. delivery of the samples, which was announced already earlier to the Field Marshal, to begin in Autumn of this year.

The Field Marshal makes the contract with Yugoslavia dependent on the answer to certain questions which had remained unanswered by the Prince Regent and the Yugoslav government resp. Concerning these he would write to the Prince Regent personally. They concern the fact that Yugoslavia did not leave the League of Nations, and fortification works at the Italian and German frontiers in the presence of French officers. However, he was not opposed to deliver at first 5 Me-109 to show our basic willingness. For the rest, the Field Marshal expressly empowered the Ministerialrat Mueller to instruct the Yugoslav military attache in Berlin that his consent to the contract would have to depend on the reply to certain questions which he would transmit by letter to the Prince Regent.

c. Turkey: The Field Marshal made no negative decision regarding the delivery of five Me-109 to Turkey till the final clearance of the situation. His declarations about that were to be understood thus: that the delivery could be made if it seemed opportune according to the situation.

Finally, the Field Marshal stated about the treatment of exports generally that the buying countries should be informed that the political situation had changed very markedly, and they would have to understand that Germany would now have to look out for itself first. The recurring objections lately expressed by foreign countries about offers of English Spitfires, etc., should be answered in the vein that we are not angered by such buys, and that we could only recommend making them.

(signed) MUELLER

Copy

The Reich Commissar for the Eastland
[Der Reichs Kommissar fuer das Ostland]
Diary No. 3628/43 secret

stamp: Personal Staff-Reichsfuehrer SS
Documents-Administration
File No. Secret/227

Riga, 18 June 1943

SECRET

To the Reich Minister for the Occupied Eastern Territory
Berlin

The attached secret reports received from General Commissar Kube deserve special consideration.

The fact that Jews receive special treatment requires no further discussion. However it appears hardly believable that this is done in the way described in the report of the General Commissar of 1 June 1943! What is Katyn against that? Imagine only that these occurrences would become known to the other side and exploited by them. Most likely such propaganda would have no effect only because people who hear and read about it, simply would not be ready to believe it.

The fight against bands also is taking on forms which are highly questionable if pacification and exploitation of the several territories are the aims of our policy. Thus, the dead who were suspected of belonging to bands and whose number was indicated in the report of 5 June 1943 about the "Cottbus" project to have amounted to 5,000, in my opinion, with few exceptions would have been suitable for forced labor in the Reich.

It should not be ignored in this connection that in view of the difficulties of making oneself understood as generally in such clean-up operations, it is very hard to distinguish friend from foe. Nevertheless, it should be possible to avoid atrocities and to bury those who have been liquidated. To lock men, women and children into barns and to set fire to these, does not appear to be a suitable method of combatting bands, even if it is desired to exterminate the population. This method is not worthy of the German cause and hurts our reputation severely.

I am asking that you take the necessary action.

(signed:) [signature illegible]

R-135

[stamp]
Personal Staff Reichsfuehrer SS
Document Administration
File No. Secret/227

The General Commissar for White Ruthenia
Gauleiter /BA
Diary No. 428/43 Secret

Minsk 5 June 1943

Secret

To the Reich Minister for the Occupied Eastern Territories
Berlin
Through the Reich Commissioner for the Eastland Riga

Subject: Results of police operation "Cottbus" as reported so far for the period of 22 June to 3 July 1943.

SS Brigadefuehrer, Major General of Police von Gottberg reports that the operation "Cottbus" had the following result during the period mentioned:

Enemy dead	4,500
Dead suspected of belonging to bands	5,000
German dead	59
German wounded	267
Dead of foreign racial stock	22
Wounded of foreign racial stock	120
Captured members of bands	250
Destroyed enemy camps	57
Destroyed enemy positions	261
Apprehended male labor	2,062
Apprehended female labor	450
Sunk larger boats	4
Sunk floats	22

Booty consisted of: 1 airplane, 12 tow-gilders, 10 15 cm guns, 2 anti-tank guns, 9 grenade throwers, 23 heavy machine guns, 28 light machine guns, 28 machine pistols, 492 rifles, 1 028 grenades and bombs, 1 000 mines, 31 300 rounds rifle ammunition, 7 300 rounds pistol ammunition, 1 200 kg explosives, 2 complete radio installations with transmitter, 1 picture establishment, 30 parachutes, 67 wagons, 530 horses, 1 field kitchen, 430 sleighs, great amounts of medical drugs and propaganda material.

The operation affects the territory of the General District White Ruthenia in the area of Borissow. It concerns in particular the two counties Begomie and Pleschtschamizy. At present the police troops together with the army have advanced to Lake Palik and have reached the whole front of the Beresina.

The continuance of the battles takes place in the rear zone of the Army.

The figures mentioned above indicate that again a heavy destruction of the population must be expected. If only 492 rifles are taken from 4 500 enemy dead, this discrepancy shows that among these enemy dead were numerous peasants from the country. The battalion Dirlewanger especially has a reputation for destroying many human lives. Among the 5 000 people suspected of belonging to bands, there were numerous women and children.

By order of the Chief of Band-Combatting, SS Obergruppenfuehrer von dem Bach, units of the armed forces have also participated in the operation. SS Standartenfuehrer Kunze was in command of the armed forces detachments, among whom there were also 90 members from my office and from the District-Commissariat Minsk-City. Our men returned from the operation yesterday without losses. I decline the use of officials and Reich employees of the General Commissariat in the rear zone of the army. The men who work for me were not deferred from army service in order to actively participate in combat against bands in the place of the armed forces and of the police.

Of the armed forces personnel, 1 railroader has been wounded (shot in lungs). The political effect of this large-scale operation upon the peaceful population is simply dreadful in view of the many shootings of women and children. In December, the town of Bagomie was evacuated by the armed forces and the police. At that time, the population of Begomie was preponderantly on our side. In the course of the fighting, Begomie, which was built up as a strong point by the partisans, has been destroyed by German air attacks.

The General Commissar in Minsk
(signed:) [signature illegible]

[stamp]
Personal Staff Reichsfuehrer SS
Document Administration
File No. Secret/227
The General Commissar for White Ruthenia
Gauleiter/Wu.
Diary No. 414/43 secret. Minsk, 1 June 1943

Secret

To the Reich Minister for the Occupied Eastern Territories Berlin
Through the Reich Commissioner for the Eastland Riga

Subject: *Actions against Jews in the Prison of Minsk.*

The enclosed official report from the warden of the prison in Minsk is submitted to the Reich Minister and the Reich Commissar for information.

The General Commissar in Minsk
(signed:) [signature illegible]

Enclosure
ad. I/1168/43 secret.

[stamp]

Personal Staff Reichsfuehrer SS
Document Administration
File No. Secret/227

Court Prison

Minsk 31 May 1943

To the General Commissar for White Ruthenia
Minsk

Subject: Actions against Jews.

Reference: Oral report on 31 May 1943.

On 13 April 1943 the former German dentist Ernst Israel Tichauer and his wife, Elisa Sara Tichauer, nee Rosenthal, were committed to the court prison by the Security Service (SD) (Hauptscharfuehrer Ruebe). Since that time all German and Russian Jews who were turned over to us, had their golden bridgework, crowns and fillings pulled or broken out. This happens always 1 to 2 hours before the respective action.

Since 13 April 1943, 516 German and Russian Jews have been finished off. On the basis of a definite investigation, gold was taken only in two actions, on 14 April 1943 from 172, and on 27 April 1943 from 164 Jews. About 50% of the Jews had gold teeth, bridgework or fillings. Hauptscharfuehrer Ruebe of the Security Service (SD) was always personally present and he took the gold along too.

Before 13 April 1943 this was not done.

(signed) Guenther
Prison Warden

[DOCUMENT A]

NATIONAL SOCIALIST GERMAN WORKERS PARTY

The Fuehrer's Deputy Munich 33, 12 July 1940
Chief of Staff Braunes Haus
III/Dr.Kl.-Pu.
2610/0/103

The Reichsfuehrer SS, Party member Heinrich Himmler
Berlin, S.W.11., Prinz Albrechtstr. 8

Subject matter: Introduction of the Civil Code in the new Eastern territories.

Dear Heinrich,

I am enclosing a copy of my letter of this day to the Reich Minister of Justice for your information.

I have asked my officials who are dealing with this matter to arrange for a preliminary conference in which the Gauleiters concerned, the Reich Commissioner for the Strengthening of German Race and Culture, the Chief of the Security Police and the Security Service and the Racial Policy Department should convene before the conference which will be called by the Reich Minister of Justice.

Heil Hitler!
Yours
(M. Bormann)

[DOCUMENT B]

National Socialist German Workers' Party
Berlin-Wilhelmstr. 64 Munich-Braunes Haus

Copy

The Fuehrer's Deputy 12 July 1940
III/Dr. Kl.-Pu.
2610/0/103

The Reich Minister of Justice
Berlin W.8, Wilhelmstr. 65

Subject matter: Introduction of provisions of civil law in the annexed Eastern territories.

I refer to the several conferences of our experts and confirm that I question the wisdom of introducing the German civil law in the form you propose in the annexed Eastern territories. As I learned from my officials you share my view that many provisions of German civil law ought not to be applied to Poles and Polish legal relationships. I refer in particular to the provisions of family law, the law of succession, of real estate, of clubs and associations.

The clause suggested by your experts at the conference of reporters which has meanwhile been held: "Poles may not invoke provisions made solely for the protection of German Race and culture" is much too narrow. It is not sufficient to prevent an undesirable equalization between Poles and German nationals.

Such a clause is questionable also because it puts upon the judge the legislative decision as to how to form political situations. Experience has shown that most of the judges are not able in their judgments to assist in the correct formation of political situations.

I have been told that the German courts apply German civil law, though it is not yet introduced in the Eastern territories, and treat the Poles in a way which should be reserved for German nationals only.

It is presumed that the endeavors to introduce German civil law in the Eastern territories will be increased.

I should like, in this respect, to refer to the experience which we had with the introduction of German criminal law in the Eastern territories.

It is therefore to be feared that judgments by German courts applying German civil law to Poles and Polish legal relationships will cause unrest among German nationals. In some cases the execution of judgments may even have to be prevented by police measures.

Such undermining of state authority is in my opinion absolutely inadvisable, particularly in territories with a large Polish population.

It appears to me necessary therefore that each and every legal provision which is to be introduced in the Eastern territories shall be examined separately as to how far its application to Poles may be advisable. Provisions whose results may be questionable should, as far as possible, not be introduced in the Eastern territories. Only those which are absolutely necessary for the safeguarding of justice should be introduced at the moment.

I would also consider it advisable not to order the introduction of civil law by way of Reich legislation but by decrees of the Reichstatthalters. The Polish minority law will be given its final shape only in stages, in accordance with experiences gained from time to time. When introducing German law in the Eastern territories I should therefore consider it advisable from the beginning to take into consideration the possibility of easy amendments and alterations.

I suggest a further conference of reporters be arranged for the examination of these questions to which, in addition to the Public Custodian East [Haupttreuhandstelle], the experts of the Reichstatthalters, the Reich Commissioner for the Strengthening of German Race and Culture and the Chief of the Security Police and Security Service should be invited.

Heil Hitler!
The Deputy
Signed: M. Bormann
(M. Bormann)

[Document C]

Note

OI/28r/13.2.40 B 6.8.40

Subject: Application of Civil Law in the annexed Eastern territories.

* * * there followed a conference in the Ministry of Justice at 10:30 a. m. in which about 40 persons took part, including:

Ministerial Director Volkmar, in the Ministry of Justice as Chairman.
Fechner, Judge in a Court of Appeal, as reporter.
President Hesse, for the land registry-departments of the Ministry of Justice.
Rexroth, Judge in a Court of Appeal.
Mabfeller, Councillor to the Ministry Department for Family Law.
Many other officials from the Ministry of Justice.
The presidents of the Courts of Appeal of Posen and Danzig.
Ministerial Director Klopfer.
Dr. Encke, Hess's Staff.
A representative of the Reich Minister for Economy.
A representative of the Reich Minister for the Interior.
Dr. Gramse, Councillor to the government for the Four Year Plan.
Lawyer Schubert, HTO [Haupttreuhandstelle Ost—Public Custodian East]
Lawyer Pfennig, HTO [Public Custodian East].
SS Obersturmfuehrer Dr. Beyer and two other representatives of the Reich Security Main Department, (RSHA).
Lawyer Goetz
Lawyer Wirsich

Mr. Volkmar pointed out the lack of clarity, the variations and the territorial and substantive division of the legislation at present in force. For all practical purposes, German law was already applied in the Eastern territories so that the bill amounts only to legalizing the existing state of affairs. He then dealt with the objections of the Fuehrer's deputy. According to his view a special code for Poles could not be created at present because the political principles for the treatment of Poles were not yet clear and the preliminary work might require years. The Poles were already, for all practical purposes, excluded from legal commerce and intercourse by measures of public law. Even the present bill relates only to the position of the Poles according to civil law and would not affect the restrictions of their legal position based on public law. If a Pole, despite the prohibitions of the public law had, with the consent of the competent authority, acquired a piece of land, he could mortgage this land in accordance with the provisions of the civil code. The public law has precedence over the private law and the bill does not affect that. Finally, Mr. Volkmar referred to the fundamental clauses suggested of which two drafts are submitted.

(*a*) Poles may not invoke provisions made solely for the protection of German Race and Culture.

(*b*) If the application of the law would lead to consequences which are undesirable from a racial point of view then the law is to be applied only judiciously.

He would prefer (*a*) because (*b*) would endanger the rule of law and would burden the judge with responsibility for racial questions.

Klopfer stated that Reich Minister Hess, the Reichsfuehrer SS and the four Gauleiters concerned unanimously rejected the bill. The treatment of the Poles would be dealt with by the Fuehrer at the end of the week. The antiquated conception of territoriality in law must be overcome. A state's essential element is in human beings. The personal status, as had been partly the case in the legislation for Jews, should be brought to the fore, especially as the Reich territory is being extended and foreign nationals are being included also in the West. The Reich Minister of Justice had already introduced the German criminal law prematurely. Many complaints from the Eastern territories had already been made to Hess's Staff about impossible sentences. Similar grievances would also be caused in the present case. The judges would be the ones to suffer and the police would have to counter the measures of the court to a greater extent than in the pre-war Reich territory.

He predicts undesirable results not only in the spheres of family law, the law of succession and associations, but for example, also in the sphere of the law relating to labor and service contracts. In this respect the Ministry of Labor had raised objections. All contractual relations based on loyalty are impossible between Germans and Poles. Having regard to the different conditions in the various "Gaue" one should delegate the legislation to the Reichsstatthalters, in order to facilitate an amendment of the law. It would be best to leave things just as they were.

Volkmar spoke against partial application of the civil code by the Reichstatthalters. He emphasized that he would regard it as a return to old times if Reich law was again replaced by state law.

Klopfer replied that in Rome at the time of its peak a special law (jus civile) was in force for its citizens, another minor law for the colonials and no law for the slaves.

The president of the court of appeal in Posen, Mr. Frobos, stated surprisingly that his Gauleiter and he himself were agreed that there were no objections against the bill concerning the application of the Civil Code. It would only legalize the instruction which he, in agreement with Greiser, had given when taking over his office i.e. simply to apply German law at short notice. Delay of the application strengthened the hopes of the Poles for a revision of the frontiers, because the present condition looked too much like a temporary situation and suggested indecision. He had instructed his judges that Poles were never equal to the Germans and that the principle of equality of men before the law was finished. A judge would be dismissed if, for example, he would give judgment for a Pole against a regional authority. He thinks that the general clause (*a*) would be insufficient and he would prefer the draft (*b*). In his opinion there was no sphere of law that was not political, not even the land-registry, the non-contentious jurisdiction, or the youth law. The Eastern territories were colonial territory, the Poles correspond to the colored people.

* * * * * * *

Ministerialdirektor Volkmar declared thereupon that apparently all authorities—and what he considered particularly essential—the practicians from the Eastern territories, asked for introduction of the law, while it was reserved for the Deputy of the Fuehrer to oppose those wishes of all agencies connected with the reconstruction of the Eastern territories.

Then SS Obersturmfuehrer Dr. Beyer and lawyer Goetz asked for permission to speak. SS Obersturmfuehrer Beyer stated that the Reichsfuehrer SS was also definitely opposed to the bill in its present form. The bill was based on out-of-date conceptions because it was based on the principle of equality before the law which was absolutely inapplicable to Poles.

Lawyer Goetz supported Dr. Beyer's and Ministerialdirector Klopfer's statements. He pointed to the contradiction that the presidents of the courts of appeal, on the one hand, approved the present legal position, the Minister of Justice, on the other hand, gave as reason for the urgency of the bill the difficulties and inconveniences arising out of the present position. Since the Fuehrer, as Klopfer had mentioned, would within a few days make a general decision about the position and treatment of the Poles, a postponement of the introduction of legislation for several months seemed appropriate or there should be a careful examination as to what individual legal sections could be introduced without any doubts.

The following discussion of the several subjects showed that nearly all subjects are doubtful, even the law of procedure. Then followed a lengthy discussion as to whether a Pole could bring an action against a German and whether Poles could be witnesses. Klopfer suggested that a special arbitration department could be created for claims of Poles against Germans to prevent Poles and Germans from standing on an equal footing before the judge.

The proposal of a partial application of the German code was withdrawn as objections were made in respect of nearly all legal sections. It was furthermore discussed whether it was possible to introduce the German law for Germans only and to leave the lawless position for Poles as it was. If this personal status were introduced, the question of the treatment of legal relations between Germans and Poles would cause difficulties. The representatives of the Reich Security Main Department seemed to prefer the opinion that legal relations between Germans and Poles should not be determined by legal methods but according to the concept of racial superiority (authoritarian relationship). Klopfer mentioned with regard to this that Poles who are sent as workers into the Reich should not be able to bring an action in the Labor Courts against their employers.

The Ministry of Justice is trying to compromise by proposing a new wording of the general clause, which was set out by Mr. Volkmar as follows:

"The law to be introduced is on principle to be applied only to German nationals, to non-German nationals only insofar as it does not lead to consequences which are undesirable from the point of view of racial policy." This general clause should, if necessary, precede (perhaps in the form of a preamble) and be emphasized as the dominating principle of the whole introduction of the German Law. The exact draft will be sent to all present.

Mr. Klopfer was very satisfied with the result of the conference and thanked Messrs. Goetz and Beyer for their intervention.

signed: Goetz [?]

[Document D]

[Pencil note:] III/109[?] 2610/6/103

To The Reich Minister and Chief of the Reich Chancery

21 August 1940
Registered letter
Dispatched on
Aug. 21st 1940
[initial]

Dr. H. H. Lammers
Berlin W.8, Vossstrasse 6

Re: *Introduction of Civil Law into the incorporated Eastern territories.*

The draft of an ordinance, submitted by the Reich Minister of Justice, provides for the introduction into the incorporated Eastern territories of Civil Law, Commercial law, and the provisions for the administration of civil law which are in force in Germany proper. The Reich Minister of Justice considers it urgently necessary to issue the ordinance, since the present legal situation in the realm of the administration of civil justice in the incorporated Eastern Territories has led to frequent difficulties. As a rule the German Courts were not in a position to ascertain and apply the law which they ought to apply according to section 7, Decree of the Fuehrer concerning the Organization and Administration of Eastern Territories of 8.10.39. (IIIA for co-signature M. B. 17/8) Therefore they were already basing their decisions as a rule on German law. There was considerable uncertainty as to the law applicable, and this particularly hampered economic reconstruction in the incorporated Eastern territories.

The Reich Minister of Justice is of the opinion that Civil law must be introduced for every person resident within the Eastern Territories without regard to race, since it could not yet be ascertained, in what respect the Poles ought to be subjected to special ruling. He thinks it would be sufficient to authorize the Judge by a general proviso, to disregard the application of German law, in cases where the application of German law to persons of non-German race would lead either to unreasonable hardships or to consequences undesirable from the point of view of racial policy. In such cases German law should be made to correspond to the particular situation. For the rest, the Reich Minister of Justice is of the opinion that the question whether the Poles should be subject to a special law was a matter of public law which did not touch civil law.

I wish to object strongly against the ruling proposed by the Reich Minister of Justice. That kind of mind, which solves even the problem of the introduction of law solely according to territories and areas affected, but without considering the persons inhabiting them, is composed of ideologies which are no longer justified at the present time. Only Germans should be allowed to invoke German law, especially where they are obliged to live in a communuity with men of completely different racial qualities. This is why I do not consider it feasible to grant the persons inhabiting the Eastern areas equal status with the Germans in Germany proper by introducing German law. With regard to Poles we shall have to invent, not only for public law, but also for civil law, a personal status accurately defining their legal situation. This status must follow them, even when they leave their residence, e.g. in order to be employed as workers in Germany.

It is impossible to allow Poles residing in the Eastern Territories to enjoy the benefits of German Civil Law, especially the benefits of the law of association, real property law, family law, law of inheritance, commercial law. I consider it inadmissible that a Pole should have the right to sue a German before a German Court, to testify against a German in a law-suit, and even, as the case may be, to enforce a judgment against him through the good offices of a bailiff. There are numerous other spheres of the civil law, which cannot even be ascertained at this early moment, in which the Poles will have to be subjected to separate treatment.

It is for these reasons that I consider it, in principle, inadvisable to introduce equality of law between Germans and Poles.

Nor are these scruples dispelled by the fact that the draft contains a general proviso, according to which the Judge is authorized to deviate from German law when the application of the German laws to Poles would lead to hardship or to racially and politically undesirable consequences. Even if the proviso were drafted in such a way as to permit elastic interpretation, it would not be certain that all these laws which are unsuitable for Poles will never be applied to them. The main objection is that in this way the Judge would be burdened with the responsibility for a political decision which ought to be for the legislator exclusively. The interpretation which the Courts would put on the general proviso would practically speaking develop a special law for the Poles; it seems only too probable that the final decision of the legislator might be prejudiced thereby. Even if introduction of such a general proviso might be called the easiest method for balancing the difficulties which are to be expected if the German civil law is introduced en bloc in the East, I am still unable to agree to it for reasons of policy.

I do not think there will be difficulties if we refrain from introducing the civil law by legislation. The legal conditions, as they are presently, an application of German law to Germans, a modified application of it to Poles—do not operate to the prejudice of the racial Germans residing in the Eastern areas. There exists indeed some uncertainty as to the law; but it operates exclusively to the prejudice of the Poles, whereas it rather benefits the racial Germans. The Germans cannot suffer disadvantages since the Judge applies German law with regard to them; they may even have advantages since the Judge is entitled, as the case may be, to deviate in their favor from the provisions of German law. He would no longer be able to do so, if the entire civil law were introduced without differentiating between Germans and Poles.

On the other hand I recognize the necessity for introducing various legal regulations—especially of a formal character—for the benefit of the Germans. But since the situation is different in every district, I do not think it advisable to introduce them by Reich legislation. We rather ought to authorize the Reich Governors and Provincial Presidents to introduce them by an ordinance and to decide on their own responsibility what rules are to be introduced and what date.

Since we were not able to come to an agreement with the Reich Minister of Justice, and since it is a question of great political significance to decide whether the law to be introduced is to provide equality between Germans and Poles, I should be grateful if you would submit this question as soon as possible to the Fuehrer for his decision.

By order

Heil Hitler!
(signed) M. Bormann

[Document E] September 2nd 1940
III/09-Ku

1. To the Reich Minister and Chief of Reich Chancery
Dispatch 2.9.40
Ku

Dr. H. H. Lammers
Berlin W.8, Vossstr. 6.

Re: *Introduction of German civil law into the Incorporated Eastern Territories.*

By letter of 21.8. I asked you to apply for the Fuehrer's decision on the question whether with regard to the Incorporated Eastern Territories the same civil law ought to be introduced for Poles and Germans equally. In the meantime I received a letter dated 14.8.40 from the Reich Minister for Justice, copy of which is enclosed and which you presumably have received as well.

Even by the statements in this letter my doubts cannot be dispelled against the treatment intended in this matter. In particular, I am supplementing my letter of 21.8 as follows:

The Reich Minister for Justice confirms that no special difficulties have resulted from the present legal situation, but this was solely the result of direct personal and administrative instructions given to the Courts, a method of procedure which could not be maintained for an indefinite length of time. On this point, I am rather of the opinion, that for the time being we cannot desist from the possibility of influencing the Courts in the Eastern Territories. If this draft became law, we should lose the possibility of directing the jurisdiction by administrative instructions to the courts; on the contrary it would be exclusively for the Courts to decide the exceptions from the application of German law to Poles. This is where I see a great danger for the further establishment of a special law for the Poles. Moreover I consider it inadvisable if we, merely in order to provide a "legal basis" for jurisdiction, create a ruling whereby the Poles receive in the first place and on principle equal rights with the Germans, whereas we are planning at the same time for legislative measures depriving them of the same rights. It does not matter on what kind of basis the Courts administer justice, but what matters is solely that we provide for judgments which are in every respect appropriate to the special conditions prevailing in the Eastern Territories. No special proof is needed, I think, for the fact that such a result can rather be expected if we leave the conditions as they are, than if we introduce rules of a general nature by which the Judge would be bound. True, the Judge would be entitled by the general proviso, to deviate to a certain extent, in individual cases, from applying German law to Poles. Apart from the fact that in this way the judge would be burdened with a decision which rests with the legislator alone, he would no longer be in a position, after the introduction of German law, to refuse generally the right of the Poles to bring an action or to testify in a lawsuit, or to prevent an execution of sentence of a Pole against a German, to refuse the entry of real estate rights of a Pole into the land register, etc. Thus it is not correct to say that with regard to the non-German minorities the legal situation would remain the same as it has developed so far, even if the Ordinance were issued.

The fact that certain rules will have to be developed without delay, in the interest of economic reconstruction in the Eastern Territories, in no way justifies an arrangement such as is intended by the Reich Minister of Justice. The difficulties which make the issue of such rules a necessity, could be abolished equally well if the Reich Governors or the Provincial Presidents issued new rules of law. On the other hand, I should have no objections against introducing German civil law into the Eastern Territories provided it were only applicable to the racial Germans there. I do not expect that special difficulties would arise from such an arrangement. In any case the economical reconstruction, in which only German racials would be allowed to participate, would be favored thereby.

There is, I think, no particular necessity to enlighten the peoples in question on the legal situation at present in force by proclamation of the ordinance proposed by the Reich Minister of Justice. There will hardly be any doubt that, in any case, racial Germans are subject to German law, that there is a law in force for them which does not make their legal situation worse than that of the Germans in Germany. If there should be any doubts, they could easily be lifted by publishing an announcement in the papers that German law is applicable to the legal relations of the racial Germans residing in the Eastern Territories. If there remains any uncertainty, it applies solely to the legal situation of the non-German races. Such uncertainty would continue with regard to the general proviso; for the rest, I see no cogent reason for abolishing it by general introduction of German civil law in the face of all the objections which I raised above.

I agree with the Reich Minister of Justice that the Poles must not receive a status which the political leadership does not want them to have, and that from the beginning the legislation must take into consideration the special conditions in the incorporated Eastern Territories. But the draft does not conform to these principles. I very much doubt that a Judge will ever be able to decide whether or not the application of German law "would prejudice the incorporation of the Eastern territories into Germany." As the Reich Minister of Justice himself emphasizes, the will of the political leadership must be the only deciding factor; this will must be communicated to the Judge; he is neither able nor competent to establish it.

It does not matter whether the rules concerning the status of the non-German races in the realm of administration of civil justice are part of civil or of public law, and whether therefore they belong to the competence of the Reich Ministry of Justice or not. If they belong to public law—which I very much doubt—they will have to be issued by the competent Ministry at the same time as the rules concerning civil law.

Neither is the problem solved by the ordinances concerning the administration and seizure of property formerly belonging to Poles, or by the rules concerning the Main Trustee Office East, nor by the decree concerning the reconstruction of economy in the Incorporated Eastern Territories, or by the decree concerning the administration of property belonging to nationals of the former Polish state. I consider it absurd, to give an example, first to force the German Judge to enter judgment for a Pole, and subsequently to nullify this judgment at once by confiscation or similar acts. Moreover there will not always be reasons for confiscation.

Nor is it always possible to counter the attempts of Poles to take out executions against a German by applying the law concerning the abuse of execution. This law is not applicable if what is intended is to prevent the execution of a judgment issued by a German Court immediately after it has been issued. In case the law should be applicable in such case, one might be justified in asking why then a judgment must be entered at all, if it is immediately to be nullified by the same court. Obviously it would be more advisable to issue rules from the beginning as to whether a claim may be adjudicated at all.

To the statements of the Reich Minister for Justice concerning the formation of special arbitration authorities I reply briefly, that in my opinion it would make a great difference, whether a Pole is entitled to sue a German, or whether an arbitration authority is interposed which would have to make preliminary enquires and which would have to carry out the necessary legal steps, as the case may be. I cannot see how the Courts could be in a position to prevent Polish residents from abusing their right to apply to the Courts.

PARTIAL TRANSLATION OF DOCUMENT R–140

The Reich Air Minister
and Commander-in-Chief of the Air Force Aide-de-Camp
Major Conrath

Berlin, W.8, 11 July 38
3 Leipziger Str.
Staff Headquarters
Telephone 12 00 44

SECRET

Staff HQ—Dept II No. 134/38 secret
To General Udet

Enclosed I transmit a copy of the shorthand minutes on the conference with the airplane manufacturers on 8 July 1938 at Carinhall.

(signed) Conrath
Major

1 Enclosure.

Dr. Eggeling/Ba

Conference
with the gentlemen of the airplane industry at Karinhall
8th July 1938. 1130

Field Marshal Goering:

Gentlemen: May I first welcome you here and express my satisfaction that we have come here together again to discuss our problems. Today I invited you into the country, in order to have you later on as my guests, thus giving expression to the feelings of solidarity between us.

Before we start our discussions I am in duty bound to commemorate here too the man who, being one of you, always was among the first to press for the development of German aviation and of the German Air Force. It is a grievous loss which the aviation industry has suffered through the departure of your member, Mr. Hellmut Hirth.

(Those present rise from their seats.)

I thank you.

Gentlemen: The situation today does not differ from that which existed at the time of my last address except perhaps for the fact that it is even more serious today. You are aware that today it is no longer Germany on whose attitude the continuance of peace depends. It is Czechoslovakia who threatens the peace like the sword of Damocles. We do not know what will happen. But you are aware, Gentlemen, that, in case something happens there, Germany will not be able to be disinterested. As long ago as May it became manifest that raving individuals of Czechoslovakia thought the time had come to provoke Germany while hoping that such provocation would start a world war, in which one side was probably to consist of France and England, Russia, America as the main forces, while Germany perhaps assisted by small countries interested in areas of Czechoslovakia on the other side. They hoped to catch just the last moment when conditions were still favorable enough to overwhelm Germany. We have not been provoked, and probably the other side also was too anxious for peace after all to allow further provocation. There can be no doubt that England does not wish for war nor does France. As to America, there is no certainty on this question. The economic situation of America is hopeless. Therefore the Americans might hope to do big business again by providing all the munitions for the enemies of Germany, while not themselves actively intervening for the time being, but by dispatching many airmen at least as volunteers.

The Jew furthermore agitates for war all over the world. So much is clear: Antisemitism has risen now in every country as a logical consequence of the over-increase of the number of Jews in these countries, and the Jew can expect salvation only if he succeeds in letting loose a general world war. If I mention the Jewish agitation for war, I have a good reason to do so, since the Jew who dominates the bulk of the world press is in a position to use it for psychological propaganda.

With regard to England too, we have to acknowledge the existence of some, I don't want to say, readiness for war, but of a certain feeling of the unavoidability of war which is widespread. To be added is the fact that wide circles in England take this stand: the last thing we are prepared to bear is the incorporation of Austria, but we are not ready to allow any further enlargement of Germany's power. Beyond this they fear that once we have pocketed Czechoslovakia, we will attack Hungary, the Rumanian oil wells etc. Moreover since there are democratic countries on the one hand, and authoritarian ones on the other, there is enough inflammable matter in the world anyway. When, how and where this inflammable matter will explode, no one among us can say. It may happen within some months, but it may also take some years. At present the situation is this that Czechoslovakia has promised the Sudeten Germans to meet them half way. I am convinced that they will satisfy no more than some of their unimportant demands. Such action on their part would probably suit our policy best, since in this case we could put the entire responsibility on England because she has engaged herself so deeply in this business.

Briefly, gentlemen, this is what is happening on the political plane. In this circle, however, we have less to do with politics. I told you these things only in order to provide some background. What we have to discuss are the conclusions which have to be drawn, especially with regard to the air force. Everywhere we observe indeed immense preparations for mobilization, and I expect nobody to become frightened to death. If I judge the preparations for mobilization which are undertaken by other nations by their press publications, in which these countries, I dare say, shoot their mouth off, one might feel inclined to get the jitters. But if they write there: "England is to produce within the next year so and so many thousands of first line planes of which so and so many will be ready a month, France will build this and that, Russia is now again to produce another 100,000 planes and to train so and so many airmen", then think of the difficulties which we have to overcome and translate what we have into a democratic system, and then you will be able to make a correct guess. I am perfectly convinced gentlemen, that what we can produce of new goods within a year, England is able to produce with the utmost pains in two, perhaps three years. This is how I judge the situation, taking into consideration the establishment of factories etc.

You heard tall stories about the English shadow factories. But what happened in fact? These people did not even complete the conversion of their existing factories, let alone the erection of shadow factories, the essence of which is that they are not working today, but may be switched on tomorrow. And how far have they gone with their second great project for the motor-or-plane industry which this Automobile King Nuffield has set up? The latest report is this that this honorable lord now has made up in his mind, and almost decided where he will build these shadow factories, therefore in the best possible case has chosen their location. You know how much it takes to build a big factory, and I think, it cannot be done in such a hurry. If on the one hand they introduce the 40 hour week or even go down to 35 hours a week, and on the other hand we are working 10 or 11 or 12 hours a day instead of 8 hours, then this discrepancy must at the end favor the man who works longer, and work is what matters for results.

But still we have to keep in mind that from the long term view these people too certainly will have some results, and before all, that England and France do not stand alone on the opposite side, but are always in a position to draw upon the immense reservoir for raw materials in America.

If I compare the Air Forces of the principal countries which may become our enemies (by which I always mean England and France), I am bound to say: we have done marvellous work indeed! In 1933 we were at zero, today, 1938, at the end of the year, Germany will have a complete first line strength equal to that of England's strength plus * * * Thus we are superior in quantity, too, and as to quality we are equal, even superior. This is an enormous success. It is a miracle that we were able to do it.

And here you deserve great credit, gentlemen, for having succeeded in establishing factories from nothing, and finally producing in them planes and motors which are equal today and partly superior.

Altogether, I consider the German air force as being ahead compared with the English as well as with the French. Our task is, not only to keep, but also to increase this advantage. For if it comes to the decision, we shall again be opposed by a great multitude, considering the world reservoir at the disposal of the enemies. We have to endeavor, therefore, to increase our advantage, at least in the air, by producing highest quality and at the same time in enormous masses, and I am firmly resolved to take every measure which can and will provide us with permanent superiority in the air.

It is for this reason that I have to approach you again, gentlemen, with a demand to provide loyally and passionately those conditions which will allow me to increase that advantage. I am aware that there are great difficulties, and one of these difficulties consisted and still consists in the so-called shortage of raw materials. Gentlemen, shortage of raw materials! Indeed, everyone has less iron than he needs. But if you come to think of it that we now manufacture almost 2.000 tons of raw iron a month, then that is something immense. We are today producing more iron than France and England combined. Only our needs are so immensely great. The same applies to aluminum. I increased our requirements for aluminum under the Air Ministry plans, later in the frame of the Four Year Plan, from 32.000 tons a year to 150.000 tons a year as of today, then after the end of this year 180.000 tons, and by the end of 1939, to 288.000 tons. And even this will not be quite enough. Now you can roughly estimate, if you compare the aluminum quota at the disposal of the rest of the world, how much they can produce from aluminum. Although one should not forget that there are many cases where we are forced to use aluminum, while other people can use other materials owing to their richness in raw materials. Yet much has been done also with regard to raw materials, and if I just altered the contingents again and allotted to the armed forces 500,000 and lately even 550,000, possibly even 600,000 tons, these are also enormous figures.

We shall make it all right. What matters is only that everybody knows he has to be careful, that material is short, but that the manufacture must not be impeded. Everything often depends on the right distribution of materials, in order to balance temporary shortages and prevent stoppages of work. Moreover the demands often are for much more than is really needed or is said to be needed.

Now, if I touch once more on the political problem, this is because you felt the consequences of the political situation in the increase of the program, and that we have to request that everybody do his best, and that all our labor supply must be used. We are fully embarked on the way to mobilization-capacity and shall not be able for years to deviate from it; on the contrary, we may have to increase our speed under certain conditions until we reach full mobilization capacity.

Gentlemen, please consider the far reaching consequences; you ought to be aware that the smallest faults and omissions cannot be caught up with, and repaired, if we work with such speed. I have to ask you therefore to be in a state of the greatest readiness. It is the fate of Germany which is at stake. Your job is not to be politicians. But if you sometimes have a quiet half hour to ponder on the history of the era after the world war, you will become convinced that, in case a combination of powers today would succeed a second time in overwhelming Germany, the end of the Reich would be there. These people have been forewarned now, they know what a Germany totally prostrated can create anew, if she only remains united. This is what they have learned, and they will act accordingly.

Gentlemen, the following is my personal belief: Wherever the conflagration may begin—if then Germany must go to war—this will be the greatest hour of destiny ever since there has been a German history. And the possibility of victory indeed exists. It depends solely on our own power, on the manner in which we mobilize that power, and on the degree to which everybody is resolved to do his bit, convinced as he is that afterwards every individual will experience personally the advantages as well as the disadvantages of the situation. Believe me, gentlemen: once Germany has again lost a new war, it will be no use for you to go and say: Yes, I did not want this war, I was always opposed to it, moreover I was opposed to the system and never wanted to collaborate with it. You will be dismissed with scornful laughter. You are Germans: the others don't care two hoots whether you wanted to collaborate or not.

We have to see things as they are. The situation being what it is, I believe there is still a 10% to 15% possibility for a relatively small scale action, but I am convinced that a 80, 85, 90% chance exists that a greater disaster will occur anyhow, and that we shall have to fight the great battle of which I am not afraid. The only thing that matters is that we shall not collapse again. What matters is that everybody knows: Victory can be ours only if we work to an immensely higher extent. We have to replace by men everything of which the other side has more in raw materials. This is why the determination of every single German has to be much stronger than that of the enemy in question. And the determination of a nation that knows its very existence is at stake, will necessarily be stronger than that of people who are only half resolved and only go along in the war, and the agitation, etc.

Those are not phrases, gentlemen. For God's sake do not understand them as nationalistic blusterings, you would do me a great injustice. I am passionately convinced that everything I tell you is an absolute, gigantic truth. I am truly of the opinion: we shall not be able to save our fatherland unless we stake all our passions.

Believe me, gentlemen, I have now learned during these years, what it means to bear continually the responsibility for a nation. If you are concerned about your work, this is indeed a grave responsibility. But what it means if a man is aware that on his own counsel, decision, judgment, and deliberation lastly depends the fate of the nation, this is beyond your imagination. You may be certain, seldom indeed do I have any other thought in my mind.

Actually I have to force myself to think of other things; all the time my thoughts are circling around one thing: When will war come? Shall we win? What can we do? I assure you, gentlemen, it is hour after hour that I ponder: What can we do? I am well aware that there are still infinitely more things we could do. I am aware that many things are not yet ready, I am aware of the many obstacles in our way, and I am very sorry that I am unable to do everything as quickly as I would like. I wished, however, I might be able to say later on with regard to the task which has been given to me: Well, every preparation which a man can make has been made by us. It is a bad thing if a man has to confess, when the battle has started: Damn it, you could have done this before. This responsibility rests heavily on me, you may believe me.

This is why I again beg of you with all my heart, gentlemen: Consider yourself an industry which has the duty to create an air force, which is most intimately connected with that air force. Do understand that all personal interests take second place. What does your work mean compared with the fate of the nation? What value have after all the considerations which will often occur to you: Well, what are we to do afterwards, if now the capacities become so much inflated? Would it not be better to go a little more slowly in order to distribute the work better? Such thoughts would prove nothing—don't take this amiss, gentlemen, but an extremely petty character. What does it matter, if there will come a day when you have to manufacture chamber pots instead of planes? That is of no importance if there is only now a chance for Germany to win the struggle.

For if I spoke so far briefly of the fate which would befall us if we lost the war, I may be allowed now to mention what will happen if we win it. Then Germany will be the greatest power in the world, then it is Germany who dominates the world market, then will be the hour when Germany is a rich nation. For this goal, however, we have to undertake risks, we have to stake out bets. This is why I once again demand of you: all the questions ruminating in your heads, all ideas of external or internal importance, any doubts whether you can obtain higher prices, whether you might make insufficient profits, etc., all this is perfectly beside the point. What matters is only this: What is the production of the works; how many motors are being made and in what time, and of what quality are these motors and planes? Only this is important. And even if you know what you are doing now may mean that within three years your firm will collapse, you will have to do it all the same. For if Germany collapses, who will dare to tell me to my face that his shop will go on? Out of the question! If only this fact would be understood by the whole of the German economy—although the dictate of Versailles in 1918 should indeed have been a good teacher to them—and if all would understand that nobody here exists by himself, but that everybody stands and falls with Germany's existence! It does not matter if someone says: I disapprove entirely of the National Socialist system. I don't care, let him disapprove, it is still the system which at this moment decides Germany's fate. This is why he has willy-nilly to cooperate. Therefore I repeat once more: Only that nation which stakes everything on its armaments and draws all consequences from this fact, will be able to continue its existence.

Gentlemen, I have no reason, and this is gratifying to me, to complain of the airplane industry but to praise, to acknowledge, and to thank. You went my way on the whole, though at the start one or the other did not quite catch what it meant and you did really wonderful work, in some factories quite extraordinary things were done. Thus, just with regard to the airplane industry, I have no reason for complaints, thank God. Just this fact permits me to say, especially as it cannot happen in this industry, not for a second, and I mean second, would I hesitate—as I proved with regard to another matter—to intervene at once and to confiscate at once the whole business in case I should come to the conclusion that he does not understand that he can see the world only under the toilet-seat perspective of his own enterprise, and cannot look farther. Such a fellow is a ne'er-do-well. That fellow must go. By a stroke of my pen he would lose his business and his property. But as I said before, and I am very gratified to state this once again, that the airplane industry performed quite excellent work.

But, gentlemen, we must not rest on our laurels, our performance must encourage us to perform still more. If I said some moments ago that the raw material situation is and will remain difficult, the situation regarding labor supply is perhaps still more difficult. This is by no means surprising. Imagine, in 1933 we had almost 7 million unemployed, and today the greatest problem of Germany is where to find enough workers to complete the most urgent tasks. I believe, a leadership which led to such results has some justification for its existence. If today some degree of prosperity exists in other countries, if for instance a country like Sweden is in excellent circumstances, then it is very wrong if this country scoffs on Germany, since it is indebted for its prosperity to nobody but Germany and her re-armament. Anyway this labor supply problem is difficult indeed. It was with difficulty that I decided on the law enacted recently, a law which intervenes to a truly enormous extent in the freedom of movement of every individual. If a worker can be told today you are finished here, pack up your things and start tomorrow at such and such a place, this means indeed quite something! If despite this fact I resolved to issue this law, you ought to be able to comprehend how difficult the situation is, but also that we shall dodge no issue. As long as there are any chances of balancing the situation, I shall take these chances.

As for the airplane industry, here again of course the most difficult problem is that of providing skilled workers. But we have devised means and ways to attain our goal.

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Beyond this, gentlemen, I want you to be perfectly clear, today already, how you will run your business when war comes. The earlier you can make clear proposals on this to me, the earlier you know yourselves what you want, including the changes in personnel, what people you want to get rid of, and what people you want to have, the earlier you will be all right, and the less danger there will be of work being held up. If you act in this way, we should be able to apply in time to the Inspectorates for Recruiting for deferments on the basis of your claims, so that the moment mobilization starts, everything will have been arranged already. You will then be in a position to know; when mobilization starts, so-and-so will be taken away, but you will also know who will replace him. I should like to have this arranged almost by names. I want every man and woman to know: on the first, the second, the third day of mobilization I shall have to do this and that, so that the order of events will not be: the airplane industry will be allotted a certain number out of the bulk of available labor, etc., and then the allotments will be altered four or five times. No, this will have to be done from the beginning, by names. I want the airplane industry to take again the first place and go ahead by appointing a special employee in each factory who has nothing to do but to make the arrangements for mobilization, so that every shop knows accurately: I shall lose so-and-so, he will be replaced by so-and-so. But with regard to those people who cannot be spared by any means you must apply for deferment already, so that I can order their deferment. If this is being done accurately and executed carefully, you will see what a help that will be. **For it is quite clear:** there will be a great to-do the day of the mobilization, and every man will then have to know what he will have to do. And with regard to juvenile labor, to apprentices, I want you to make your decisions also with regard for the mobilization; it might be advisable to accept already many more apprentices than you would accept normally.

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At this point I want to prevent the spreading of a fairy tale in case it should exist. If you'd think that since I have so much to do, I am more or less above things, do not trouble about them and do not know what is going on, you are mistaken; first of all I am seeing the chief of the C.-Office once a week if not more frequently, and I can assure you that nothing of importance is being ordered, really nothing which has not been discussed with, and agreed upon by me first. No sample is dispatched, no order given without my consent, I decide personally upon each piece to be delivered on the basis of these conferences. Every measure, therefore, which the chief of the C-Office takes, has been previously discussed in conference lasting many hours.

You know of the new method which General Udet wishes to apply. This method naturally calls for sacrifices. They are necessary however. For what is it which matters? We must have, firstly the best types, secondly as few of them as possible. Thirdly, types which can be built within a short time, which can be built in good quality, and which can be built cheaply. This is, I believe, the result of planning for almost a year. For it has been almost a year since I started the deliberations which led to the method we wish to apply now.

It goes without saying, gentlemen, we shall communicate to you the demands which we have with regard to the machines we want. You shall have a chance to build that machine in free competition. Then we shall have to decide what machine it is which suits us. And this today is often very difficult to decide. Often we had to ponder very long when we had to decide between two types. Either machine had its advantages, the one these, the other one those. If one has to choose between two machines of which one is good, the other less good, the choice is easy; but to decide on one of them, if both machines are good, this is difficult. And if we chose one, and refused the other, this in many cases did not mean that the one refused was not good; perhaps it was just as good, but some small advantage of the chosen machine tipped the scale after we had considered everything.

But I cannot allow the manufacture of several types. I am well aware of the objections to this opinion. They have been known to me already since the last war.

One should not create monopolies, and I don't want to do so.

I never asked you, gentlemen, to work in your construction offices in a given direction, i.e. to do everything by order, but there you are free, and every firm is free to produce something better at any moment. But if I made up my mind after the most thorough deliberations and discussions with all responsible people, to choose the bomber, which is to be the backbone of the air force, which is to be produced in greatest numbers, then I have the duty to arrange that this type is also produced in the shortest possible time. Gentlemen, the kind of licensing method which we had so far, was never very pleasing to me, for we were forced to acknowledge that a series of accidents—to mention a minor detail—was caused for the following reasons: that with the firms which had licensed things did not quite fit in some place, something stuck, and they gave it one more little jerk, and the part just got in; by such methods tensions were created which later had fatal results. It cannot go on like it did so far, that we say we gave them the license, and let the firm construct and fit the licensed parts. If we have now chosen a certain type, the firm which developed this type carries the central responsibility for the construction and the completion of this type, even where part of the work is done by licensed firms. And the other firms shall produce this type until another type appears in our factories which may perhaps have been constructed by a different firm and which may replace the older type. But the firm which has developed the type chosen by me is responsible to me for the following: that first it will provide the gadgets [Vorrichtungen] drawings, materials and everything else which is necessary, in order to deliver at the end of the manufacturing process the same type in every factory. And this, gentlemen, is the more important because I no longer order: you, please produce license 88, and the other produce the so-and-so license, but I shall tell you: *You* produce nothing but the right wing, *you* nothing but the left wing, *you* nothing but the glider appliance, *you* the rump, etc. and at the end everything must fit together. And if I proceed to produce the highest possible number of planes, then, gentlemen, you will have to understand that everybody has to march in step. For these small parts are to be produced in various places, and then they must fit and the firm which developed that type will be responsible to me that they do fit. Not the greatest profit ought to matter for you, but before all more work and better results. There can be no doubt about that.

Gentlemen, I am aware that there are quite a number of objections against this method. But there are objections against every method. But if I balance the advantages and the disadvantages, taking into due consideration the security problem which is so important, I finally come to the conclusion that for the time being this is the right way, which is bound absolutely to bring superiority over the enemy, and I should like to add here over the democratic, the leaderless enemy, for in England it is possible that Lord Nuffield says any plane will be built, if I am not to produce the plane which I want then I shall not produce at all. Yes, such things he can say in England, but not in Germany, thank God, and I only hope he says such things: may God preserve him in this condition. In such a case it goes without saying that one day he will fly around at the front with the most varied types. This is just what will make him inferior. Since we are provided with the principle of organization, I really would be quite insane if I did not organize these powers and made use of the chance which fate allowed me to have.

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Above all, gentlemen, and you will remember that I told you this already in 1933, if you are planning for a new type, the serial manufacture of the current type must not be disturbed by it. Never! These two tasks must be entirely separated from each other. For I know the difficulties inherent in the development of a new type. If I allow this work to interfere, at any stage, with the manufacturing of the serial type, then disadvantages to the serial type are unavoidable. Therefore, full separation must be provided and care must be taken that the serial manufacture never suffers from the work for new development, and neither must the new development be hampered by serial production. For you are fully aware how important it is to develop the new types. It is always decisive that a plane which has been constructed, must be flown as soon as possible. For not until it has been flown, and calculations with which it was flown are made, does a basis for further development really exist.

Gentlemen, if later on a history of the German Air Force and its development is written, the writer will call the step which General Udet made with regard to the Ju 88 and in which we followed him, a magnificent action undertaken by the German aviation technique. This is perfectly clear to me. This is why I ask you again to forget your personal ambitions for the benefit of this greatest task of all. You may well be proud, gentlemen, that today we are already in a position to entrust industry with such a task. For I hope I may be sure without any reserve that after adopting this system, even if you were sorry that you had to do it, you will work for it loyally, and that our work will not slacken or be hampered by some dislike on your part—to be careful in my expression. I hope I may rather be convinced that you will tell yourselves, well, I should have preferred a different way, but since the decision was made, there is only one thing: to take up this method with all the power and force at my command.

I mentioned already how glad I am to be able to express my deep satisfaction with what you have created up to now. What is it that we have brought about? We have succeeded in changing a small airplane industry, which barely existed, with a few types, which was not in a position to keep step with modern development, which had to stop production altogether for some years, etc., into an efficient airplane industry of our very own without foreign patents, foreign licenses, and by using exclusively tools of our own. And then came the reorientation which was completed in a single year, moreover the production of modern planes, produced now already in serial types. I believe, gentlemen, we can be proud of the way which the airplane industry has progressed, and this is just what entitles me to trust you and to request of you what I had to request today.

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And finally one more thing. You will not be able to fulfill your duties unless you have a staff which collaborates enthusiastically, and workers who are fully prepared to assist in your task, and I beg of you, consider your workers your colleagues, men by whose intensified zeal alone you will be able to reach your goal. Provide me with this great joy as well, that I may be able to call the German airplane industry an example for the right treatment of the workers. We shall not be able to solve our great problems and to use all this capacity for work unless the worker feels that he is indeed valued at his full worth and treated as a member of the team. On the other hand, gentlemen, you must not close your eyes with regard to certain nihilistic plans if such should become evident. Less than anywhere else can we afford in the airplane industry to allow propaganda hostile to the state. For where does verbal propaganda end and action begin? True, if I address the forces, I have of course to deny every time that sabotage ever occurs. For if I did not do so, if I would allow such considerations to be seriously considered by the forces, I should shake and undermine all their confidence. The forces must not even start such considerations. But your duty gentlemen, is to take care of it that ideas of sabotage etc. disappear entirely from the brains of your personnel even should the individual not agree with our state of today. It is here that we have to be very careful so that nothing can happen for this is where, as I said before, the confidence in your products stands or falls.

If I finally touch the problem of female labor, this is because I am of the opinion that we have to tackle the problem of female labor again in case of mobilization. Gentlemen, here you must use your brains. A woman is not a man, and it is not enough to say, instead of 500 men, I now employ 500 women, and at this or that place, a worker is a worker whether man or woman. You will have to calculate rather: if you have to lose in case of war this or that number of men, but may receive this or that number of women, you must today already make all preparations for making your factory suitable for female labor. Not in your industry but in another industry I noticed the other day the following: Owing to a reorientation 90 women had been taken on. In the whole factory there was not a single lavatory for women. This isn't the thing. This may be a small matter, simply nobody thought of it, what does it matter? There are other things where we simply have to think of the difference. You must establish separate wash rooms and other things. One cannot simply put the women into the men's wash rooms. One has to acknowledge when women come to work, there must be preparations for them.

One thing is clear, in general you cannot ask as much from a woman as from a man. There are certain spheres where the opposite applies, but working in a factory is not one of them. Above all you must be clear on where you can use female labor at all, and where this would be impossible. Accordingly, you must make your arrangements in case of mobilization. This goes without saying. And I imagine that, if things like the one mentioned before are done right, the dreaded sudden decrease of work need not occur at all, and that I won't have to wait for months for the curve to go up again. Gentlemen, I think I have opened my heart enough. As to certain details you know already from the conference with Udet. I only need to know whether you (to General Udet) wish to add anything ('no') or whether everything has been discussed.

Gentlemen, I have still one thing to ask. I think it goes without saying that everything which I told you with regard to the political situation and preparations for mobilization has to remain entirely among ourselves. This goes without saying, and I need hardly add anything. I chose the participants for this address in such a way that I am entitled to trust entirely their discretion. I should not like to experience the same disappointment which I had when I invited the German industry to the Herrenhaus, when the contents of my speech were already known in a wider circle the same evening.

Later on I shall confer with some gentlemen in order to receive from them some information on certain things. The air tents industry is informed. The same applies in general to the airplane motor industry. Here the main task will be to produce Mercedes "GOIs" in large numbers. As to BMW I put great hopes on the future air * * * as an enormous step forward. Until then the most intensified production of the present type has to be continued of course. Juno 211 also has to be produced with the great intensity. Moreover I hope that the motor industry too will not rest content with the fact that they have produced a good motor, but I ask them to prepare and further new developments.

Gentlemen, here again I should like to give some advice. In our branch, in aviation and production for the needs of an air force, you cannot attain much without some imagination. This is the sphere where many new developments and inventions can be expected to appear and where one has to reorientate oneself without end. I ask you not to shrink from new thoughts and not to say: but this is impossible! Rather you ought to travel into thin air over and over again, and tell yourselves: here it is, where there must be room for imagination, where my ideas must go on a long voyage. I hope, this is my private wish and dream, a miracle will happen. I still hope that I am shown some day a motor or a weapon or a plane or a bomb, the qualities of which will be fantastic. I still hope for something which has the same importance in the struggle with the enemy as had the needle gun in the war of 1870-71. If I had such a needle gun (to use a metaphor) against an enemy who has nothing but muzzle-loaders our advantage naturally would be great. With these remarks I wish to express my sympathy with boldness in experimenting. I still am not yet in the possession of the stratosphere bomber which overcomes space at a height of 25 to 30 km. This problem has not been solved yet in the sense that practical use is possible. I still am lacking rocket motors which would enable us to effect such flying. I still am missing entirely the bomber which flies with 5 tons of explosives as far as New York and back. I should be extremely happy to have such a bomber so that I would at last be able to stop somewhat the mouth of the arrogant people over there. Thus you see, gentlemen, there is still a large field for your work, and what matters is only how high you aim, you will have success in the same proportion.

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Admiral Lahs answers in the name of the industry:

I want to thank you also for the remarks in which you acknowledge that we did our best. You, Field Marshal, today opened our eyes to the seriousness of the situation, and you gave us directives in those units and in that direction; and it will naturally be a matter of honor for us to march cheerfully that way. I am of the opinion that our airplane industry will be able to fulfill it without any friction provided it gets the semi-fabricated goods and there will not be too much alteration of plans.

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TRANSLATION OF DOCUMENT R-141

The Trustee for the Four Years' Plan, Main-Trustee Authority East

Berlin W 9, 28 February 1941
GVSS-1445/41 GA/Hy.

Urgent Letter
Strictly confidential

1. To the Reichsfuehrer SS, Berlin SW 11, Prinz Albrecht Str. 8.
2. To the Reichsfuehrer SS, Reich-Commissioner for the Consolidation of the German Race, c/o SS-Brigadefuehrer Greifelt, Berlin-Halensee, Kurfuerstendamm 142/3.
3. To the Chief of the Security Police and the Security Service (SD), SS-Gruppenfuehrer Heydrich, Berlin SW 11, Prinz Albrecht Str. 8.

For your personal strictly confidential information I beg to send you herewith copy of a memo re: discussion of the Staff of the Deputy of the Fuehrer with plenipotentiaries for racial problems from the Gaue Sudetenland, Wartheland, Danzig-West-Prussia, and Upper-Silesia.

The General-Referent for the
Consolidation of German Race.
signed: Galke
SS-Standartenfuehrer

a true copy:
[signature illegible]
Chief of office

[Stamp] The Reichsfuehrer SS
Reich Commissioner for the
Consolidation of Germanism
received: 4 March 1941
File no: Ko 3 b 2/28 Feb. 1941

Memo for the Record.

Subject: Meeting of the Staff of the Deputy of the Fuehrer with Plenipotentiaries for problems of race for the Gaue Sudetenland, Wartheland, Danzig-West-Prussia, and Upper-Silesia.

For the 20 February 1941 party member Gottfried Neesse, staff for Poznan of the Deputy of the Fuehrer, called a meeting of the plenipotentiaries for problems of race of the Gaue mentioned above. Participants were:

Party member Karl Lischke of the Gau border-country office Sudetengau.

Party member Oskar Drost by order of the direction of the Gau Danzig-West-Prussia.

SS-Sturmbannfuehrer Dr. Fritz Arlt for the Gau Upper Silesia.

Party member Roesler of the staff of the Deputy of the Fuehrer.

SS-Hauptsturmfuehrer Hans Schmidt as official of the Gau border-country office Poznan.

Eng. Anstadt, German Ethnical List, district office Lwow.

At the beginning of the discussions, Dr. Coulon drew attention to the fact that the Gauleitungen have been invited and that it does not seem permissible, therefore, for a district office of the German Ethnical List, which is attached to state offices, to participate. After the first item of the program had been dealt with, Anstadt left.

The items of the program for discussion were:

1. the problem of changing names within the sphere of the German Ethnical List,

2. racial problems in the armed forces.

1. Changes of names.—It was pointed out and discussed: It was the wish of the Fuehrer to establish a division of the races already from the point of view of names. Here it was necessary not only for Germans to change their foreign names, but also for persons of foreign races with German names to do so. Basis for the planning was the procedure adopted by the district office Lwow, which had been carried out already in about 20,000 cases. The several Gaue were asked to give their opinions as to the results obtained.

Party member Neesse quoted the opinion of the Reichs Ministry of the Interior that there was at present no legal basis to bring about any change of names (it is generally known that the decision on change of names has been delegated to the district presidents and is being dealt with similarly within the Reich proper, but no cases are being dealt with where protracted proceedings may ensue.) Only when party member Neesse protested did the Reich Ministry of the Interior drop its objections. The Reich Ministry of the Interior has agreed further not to apply the ordinance which prohibits changes of names in the area of the Reich Gau Danzig-West-Prussia where changes of names are carried out continuously.

The procedure in Litzmannstadt (Lodz) is the following: applications for registration in the German Ethnical List and distribution in the groups 1 to 3 of this list are examined and afterwards the applicant is asked to sign another application for change of name before he may obtain the certificate of the German Ethnical List (certificate of nationality). Both the Christian and family names are being changed there and then; Christian names open to translation into German, by simple translation, other cases by chosing another German name. The applicant may advance wishes with regard to the new family name to be chosen; these may be examined and may be approved after examination. If the family name advanced by the applicant does not meet the requirements, a family name will be decided upon by the authorities; this is being done, too, if no proposals are coming forward. Correspondingly: persons who do not wish to change their names voluntarily do not obtain a certificate of nationality. So far only 2% of the persons handled by the German Ethnical List in Lwow have refused to sign an application for change of name. The authorities shall take care that in cases of individual applicants who change their names, the members of the same family (literally: tribe) obtain the same name.

This procedure of the German Ethnical List Lwow as set out above shall form the basis for uniform procedure in all annexed eastern territories. *For the time after the war* a similar action to obtain changes of names within the Reich proper is under consideration; it is required, though, as a matter of principle, that officials transferred from the Reich proper to the eastern territories have to change their names already now for reasons of racial policy, if they bear names of a foreign race. It was agreed that it was necessary that the registration and routine work should be dealt with by internal administration, the NSDAP participating; it was further agreed that it was necessary to establish offices for geneological advice at the Gau level and to establish a Reich central card index for changes of names.

2. Racial problems in the armed forces.—a. Sexual intercourse with Polish women.—Starting point was the instructive leaflet, issued on instigation of the Adjutant's office of the Fuehrer with the armed forces.

A letter of Gruppenfuehrer Heydrich to Reichsleiter Bormann stands to discussion; in this letter Gruppenfuehrer Heydrich asked for an opinion on the leaflet mentioned; in particular, he wished the question to be answered whether the leaflet and its contents were known to the Fuehrer himself and whether he had instigated it and its contents, or whether only the Adjutant's office of the Fuehrer with the armed forces was responsible. This leaflet is less severe in comparison to the original edict concerning sexual intercourse between German soldiers and Polish women. The leaflet uses some objectionable terms, such as e.g. "occupied territory", etc.

In the course of the discussion it was agreed not to do anything against the leaflet, not even to try for an alteration; Gau captain Schulz stressed at this instance in particular the moral danger for German women, should the prohibition of intercourse with the Polish race be interpreted severely. The party however, shall act with utmost severity in cases where leading personalities of party and state are involved. It was ascertained as desirable to act with particular severity against members of the Polish race. As often as possible the provision should be applied according to which the respective Polish women are to be placed in brothels. Male Poles who have intercourse with German women are to be sentenced to death whenever possible. It was ascertained further that in the Reich proper German women who had intercourse with Poles had been hanged.

b. Social intercourse with Poles.—It has become known that in the General Government, officers and civil servants as well, have social intercourse with Poles residing there, mainly Poles of the intelligentsia. This is to be reproached most severely. It is uniformly agreed that social intercourse between Germans and Poles is to be refused and that offenses should be most severely punished. The Staff Hess was going to see to it that measures of party discipline shall be taken against party members in the General Government in cases of any offenses.

c. Marriages of members of the armed forces.—To start with, party member Neesse read the ordinance of the supreme command of the armed forces from the Reichsverfuegungsblatt (official Gazette for ordinances) of 24 January 1941 which regulates the marriages of members of the armed forces, but very unsatisfactorily. Party member Neesse criticized further that he had not obtained knowledge of this ordinance before its issue. This ordinance takes into consideration only the foreign nationality, but not the question of belonging to a foreign race. Party member Neesse had agreed with party member Passe that the ordinance mentioned above should be replaced by a new one which was to be worked out in collaboration with the respective authority of the Staff Hess. The tendency of this new provision should be to subject the armed forces to the provisions issued by the civil authorities with regard to actual law, and more precisely in such a way that the armed forces were obliged to obtain the decision of the respective civil authorities in case there was any doubt whether the bride belonged to the German race. The Staff Hess shall specify first the persons from whom members of the armed forces may chose their brides. (Mainly the members of the Nordic people, etc.) This specification of persons and more precise provisions shall be made known to the armed forces and they shall be asked to take into consideration both the specification of persons and the precise provisions when granting a marriage permit.

d. Calling-up of persons of foreign race for active service.—It was ascertained that persons belonging to foreign races were called up for active service in numerous cases. As an instance it was mentioned that e.g. in one division there were 625 soldiers who could speak only Polish. The Gaue represented were asked by party member Neesse to report to Munich about the actual practise in their Gau so that the matter might be regulated uniformly. The registration of persons of foreign race, as it is practiced in some Gaue, e.g. Danzig-West-Prussia shall be introduced in the Reich proper, so as to avoid any call-up of these persons of foreign race for active service. Special attention was drawn in this connection to the bearers of so-called "Kennkarten" (identity papers) in the General Government. These are not German nationals; each case has to be examined before a decision is made to call them up for active service. In connection herewith the danger was discussed which may be created by calling-up of too many persons of German race who live in scattered settlements. It was pointed out that, for the Germans and their relatives, an economic compensation should be provided in case they are called up for active service, because otherwise they are very much at a disadvantage compared with the persons of foreign races who are not called up and have all the advantages of the present boom. It was suggested that party member Neesse should contact the liaison officer of the Main Trustee Authority East with the supreme command of the Armed Forces, 1st Lt. von Pufendorf who had already entertained some negotiations in this direction.

3. Divorces of mixed marriages.—Party member Neesse took part in a discussion at the Ministry for Justice which has under consideration an ordinance providing for a rearrangement of divorce in the annexed eastern territories in general. The main consideration is divorce of marriages between different races under the following conditions:

(1) that the spouses have lived in separation for the duration of one year [separatio a mensa a toro]; (2) none of the parties has to be guilty, no error personae etc.; (3) application may only be made by the German part. Merely objective facts are therefore sufficient for an application for divorce (separation of partners in racially mixed marriages) and as well for its success.

At the occasion of this ordinance an opportunity shall be granted to divorce marriages between racial Germans and Jews and bastards of the first degree; this, however, only in the annexed eastern territories, because the Fuehrer declined to grant another opportunity of divorce to mixed German-Jewish marriages in the Reich proper. The issue of the ordinance by the Minister for Justice may be expected soon.

The most urgent problems arising in the eastern territories generally shall be compiled by the individual Gaue and shall be reported to the Deputy of the Fuehrer as soon as possible.

Discussion of General Problems.

After having heard a report of Reich Minister Lammers with regard to the question of the ordinance concerning the German Ethnical List and German nationality, the Fuehrer has made a decision to the effect that decisions are to be made (until the war will be over) within the county by the State authorities, i.e. the Landrat. Party member Neesse pointed out that Minister Lammers may have been biased in his report by the material accessible to him at the Ministry of the Interior and that he may not have waited for the report to the Fuehrer on which Frick and Hess had agreed. It might be that Lammers was instigated to this early action by somebody else. Party member Neesse pointed out that he regretted this decision of the Fuehrer deeply, but that on the other hand he had not proposed in his report to the Deputy of the Fuehrer that objections should be raised against this decision. Lammers wrote to the Minister of the Interior transmitting the wish of the Fuehrer that his deputy should abandon his objections in view of the war situation; the more so as the participation of the party was ensured.

It has been suggested that instructions be issued to the effect that no officials should be appointed in the east who had Polish relatives there. The same applies to members of the party.

SS-Sturmbannfuehrer Arlt pointed out that in his opinion the specific mentioning of Kaschuben and Sloncaken [sic] had and will have very bad effects. This has been done in a circular-ordinance of the Minister for the Interior of the 14 November 1940 concerning the persons not being of Polish race. The ordinance had only resulted in a muddle; this was confirmed by those present.

Gau captain Schulz pointed out that it should be avoided if possible to appoint Catholic officials in the east.

It was stated that SS-Oberfuehrer Behrens had obtained the consent of the Deputy of the Fuehrer to establish soon one uniform association of co-racials. Oberregierungsrat Neesse further pointed out that soon the Reichsfuehrer-SS would be appointed to the office of party commissioner for Problems of Race and would be introduced into this office by the Deputy of the Fuehrer. He would then make all decisions because he would have sole jurisdiction in all questions of race. The question was discussed who would be his deputy. Criticisms were uttered against the person of Regierungsrat von Amsberg as the referent for questions of race and of decisions about the apportionment to races (German Ethnical List, etc.) at the reich commissioner for the Consolidation of the German Race. Party member Neesse and the others present disapprove of von Amsberg.

Party member Neesse mentioned in this connection that he had proposed some time ago already the establishment of a Reich authority for race within the Staff Hess and Gau race authorities in the individual Gaue, to replace the existing Gau border-country authorities. This matter has not yet been disposed of. It was mentioned further that the Reich commissioner had planned the establishment of schools for racial policy in the eastern territories.

It was generally agreed that the persons of alleged German race, now resettled from the General Government into the Wartheland, do not bring about a strengthening of the German elements in the east and that it would be very desirable indeed to settle then within the Reich proper.

It was generally agreed that it would hardly be possible to resettle the members of groups 3 and 4 of the German Ethnical List in the Reich proper during the war, because of the requirements of the labor market.

Attention was drawn to the fact that the Poles make very lively illegal fertility-propaganda, with Catholic priests playing a leading part. Our birth-rate was below that of the Slavs, now as before.

Party member Neesse mentioned a letter of Gauleiter Sturz to the Staff Hess explaining the difficulties about distinguishing the several categories of Poles and treating them in accordance with the respective provisions (Polish civilian workers wearing the P.-badge; Polish Ps/W, Polish Ps/W released for labor purposes; Poles suitable for Germanization; Poles from the General Government, etc.)

At the same time it was pointed out that the Regierungspraesidenten of Stettin and Potsdam were very active in naturalizing unobjectionable National-Poles, thereby misjudging the viewpoints of racial policy and the Fuehrer ordinance of October 1939.

TRANSLATION OF DOCUMENT R-142

Security Service Reichsfuehrer SS Kochem, 7 May 1938.
Unterabschnitt Koblenz
Branch Kochem
II 225–0/1
M

Note forwarded 7 May 1938
[initialled] M. [?]

1. To the Security Service (SD)—Unterabschnitt Koblenz, Koblenz

Subject: Plebiscite of 10 April 1938. 913/38
Ref.: Your letter II, dated 22 April 1938
Our letter II 225–0/1, dated 22 April 1938.

Copy of a schedule is attached herewith enumerating the persons who cast "No" votes or invalid votes at Kappel, district of Simmern. The invalid votes are listed first, ending with————, thereafter come the No-votes.

The control was effected in the following way: some members of the election committee marked all the ballot papers with numbers. During the ballot itself, a voters' list was made up. The ballot-papers were handed out in numerical order, therefore it was possible afterwards with the aid of this list to find out the persons who cast No-votes or invalid votes. One sample of these marked ballot papers is enclosed. The marking was done on the back of the ballot papers with skimmed milk.

The ballot cast by the Protestant parson Alfred Wolferts is also enclosed.

The identification of two persons was impossible because there are several persons of the same name in the village and it was impossible to ascertain the actual voter.

Security Service Branch Kochem
initialled:
Staffelscharfuehrer

2. for filing II 225-0/1

Security Service Reichsfuehrer SS
Unterabschnitt Koblenz
Branch Kochem

Kochem, 22 April 1938.

Note forwarded
22 April 1938

II 225-0/1
M

To the Security Service Unterabschnitt Koblenz, Koblenz

Subject: Plebiscite of 10 April 1938
Ref.: Your letter of 22 April 1938
Enclosures: 4—in duplicate.

Supplementing the telephone conversation with SS-Oberscharfuehrer Heinrich of 21 April 1938, schedules showing the polling results of the villages in the area of this branch are forwarded herewith in accordance with No. 1 of your letter.

The high percentage of No-votes and invalid votes has its reason in nearly all cases in the religious attitude of the population, irrespective of whether they are Catholics or Protestants. The district manager of the District Kochem gave the assurance that it was mostly women who voted "no" or "invalidly". As became known here a supervisory control was ordered at several localities of the district which has confirmed the assertion of the district manager. In one village, Fronhofen, district Simmern, see enclosure 3, several inhabitants were fined in the fall of last year because they had shown forbidden church banners at the occasion of a festival at the first ordination of a priest. The bad result in the village Riesweiler in the same district is obviously the result, as the district manager there states of squabbles between the leader of the local party group and several inhabitants In spite of many endeavors, even on the part of the Gau-leadership, these squabbles could not so far be settled. A report on the village of Kiesselbach has already been made over the phone: in this connection, it must be taken into consideration that the result given has to be corrected because the percentage reported included the "no" votes, but did not include the invalid votes. Aside from religious questions, the following reasons were at the root of the matter. For some time already the consolidation of private property had been under way. The Reich Food Estate had promised the peasants in the beginning that the individual plans would not exceed 4 "Morgen" to 1 Hektar (about 2.47 acres). Afterwards it appeared, however, that plans had been made for up to *24 Morgen.* Some peasants received property situated near the village while other peasants who formerly had their landed property near the village, now received property at the border of the area. Apart from some individual cases where "no" votes or invalid votes may be attributed to an anti-social attitude, no further reasons beyond those enumerated above, can be found.

Only two cases of direct incorrectness in carrying out the ballot have so far come to our knowledge as may be gathered from enclosures 1 and 2. They affected the localities of Pommern, district of Kochem, and Boppard, district of St. Goar. At the village of Kappel, district of Simmern, an inconspicuous supervisory control of the votes cast was effected without, however, altering the actual results. A special report about this case will follow soon.

Security Service Branch Kochem

initialled: N

Staffel-Scharfuehrer.

Enclosure 1

Kochem district

Votes cast	No-votes	Invalid votes	Percentage	Locality
286	14	2	5.6	Lieg
277	24	–	9.5	Beuren
198	14	–	7.1	Urschmitt
145	5	14	13.1	Pommern
495	4 (40)	1 (10)	1.01 (10.1)	Poltersdorf

The figures inserted in () in Pommern give the actual voting results, the published figures give the official result.

Enclosure 2

St. Goar district

Votes cast	No-votes	Invalid votes	Percentage	Locality
4,178	11 (130)	2	0.31 (3.1)	Boppard

The figures in () show the actual result of the ballot.

TRANSLATION OF DOCUMENT R-143

The Reichfuehrer SS Berlin, 16 December 1939.
Chief of German Police in the Ministry of Justice.
Reich Commissioner for the Strengthening of Germanism
S I V 1 Nr. 844 III/39-151-Sdb.P

Urgent Decree

The regional officers of the secret police in the annexed eastern territories

The commanders of security police and security service in Cracow, Radom, Warsaw, Lublin.

For information

* * *

Subject matter: Procedure for the confiscation of works of art, archives, documents, collections etc.

I

The Chief Custodian East has issued the following order dated 1 December 1939 concerning confiscation:

1. To strengthen Germanism and in the interest of the defense of the Reich, all articles mentioned in section II of this decree are hereby confiscated. This applies to all articles located in the territories annexed by the Fuehrer's and Reich Chancellor's decree of 12.10.1939 and in the General Government for the occupied Polish territories. They are confiscated for the benefit of the German Reich and are at the disposal of the Reich Commissioner for the Strengthening of Germanism. Provided always that this does not apply to articles which are fully or for more than 75% the property of German citizens or persons of German race. In particular are confiscated all articles mentioned in Section II which are in archives, museums, public collections or in the private possession of Poles and Jews if their protection and expert safekeeping is in German interest.

II

1. Historical and pre-historical articles, documents, books, which are of interest for questions of cultural value and of public life, especially for the question of the German share in the historical, cultural and economic development of the country, and documents which are relevant for the history of present events.
2. Articles of art of cultural value e.g. pictures, sculptures, furniture, carpets, crystal, books etc.
3. Furnishings and jewelry made of precious metal.

III

The administration of the confiscated articles is ordered hereby and a commissioner is to be appointed by the president of the association for research and education "The Ancestral Heritage Registered Society", Berlin-Dahlem, Puecklerstrasse 16, is to be entrusted to be the general custodian. He is empowered to appoint custodians and deputies and is entitled to take all steps necessary for the protection and maintenance of the confiscated articles.

IV

All confiscations made before this decree by authorities of the Reichfuehrer SS and chief of German police and the Reich commissioner for the Strengthening of Germanism are hereby confirmed. They are to be regarded as made for the benefit of the German Reich and are at the disposal of the Reich commissioner for the Strengthening of Germanism.

V

In due course the usual questionnaires for cataloging the confiscated articles are to be sent to the Chief Custodian East.

VI

This decree is made in pursuance of the ordinance of Prime Minister, General Field Marshal Goering of 19.10.39–St. M. Dev. 9547.

This decree has been extended by a further confiscation decree of 5.12.1939 as follows:

In section II of my decree of 1.12.1939 concerning confiscation of works of art and of cultural value the following categories are to be added:

4. All articles, especially apparatus and accessories for conserving, developing, serving to and maintaining the confiscated objects and collections. Under this category fall also items of natural, medical, technical, and agricultural science, i.e. not only appliances.

5. Armour, costumes, national dresses, musical instruments, coins, stamps, and similar collections.

6. The articles under 1-5 also if they are in schools, particularly universities, colleges, technical institutes.

II

I request to proceed at once with the confiscations in accordance with this decree. One copy each of the confiscation minutes is to be sent to:

1. Reich Security—Main Department.

2. Prof. Dr. Heinrich Harmjanz, Berlin-Dahlem, Pucklerstrasse 16, who as delegate of the president of the association for research and education "The Ancestral Heritage Registered Society" Berlin-Dahlem, has been appointed general custodian for these values. His deputy is the manager of the association for research and education "The Ancestral Heritage Registered Society" Berlin-Dahlem, SS-Sturmbannfuehrer Wolfram Sievers.

III

Before archives, documents and libraries are handed over to the "Ancestral Heritage Registered Society" further instructions from the Reich Security Main Department have to be awaited. Care has to be taken that the confiscated archives, works of art etc. are kept safely in suitable rooms.

Signed. H. Himmler

TRANSLATION OF DOCUMENT R-145

Copy

The President of the Government,
State Police Office for the District of Duesseldorf,
Branch 11/67

State Police Order

concerning the sanction of denominational youth and professional associations and the distribution of publications in churches and through church publishing houses.

On the basis of paragraph 1 of the law of the Reich President for the Protection of People and State of 28 February 1933 [Reichsgesetzblatt I, p. 83] as well as on the basis of the law for Police Administration of 1 June 1931 [G.S. p. 77] the following state police regulation will take effect within the Duesseldorf district.

I

1. Denominational youth and professional organizations as well

as those created for special occasions only are prohibited from every public activity outside the church and religious sphere.

Especially forbidden is: Any public appearance in groups, all sorts of political activity. Any public sport function including public hikes and establishment of holiday or outdoor camps. The public display or showing of flags, banners, pennants, or the open wearing of uniforms or insignia. Still permissible is the holding of closed denominational youth and professional associations in church buildings without uniform or insignia; particularly at traditional processions, pilgrimages and church burials. On these occasions the public display of banners and flags blessed by the church is permitted.

2. The distribution and sale of published items of any sort in connection with worship or religious instructions in public streets or squares near churches is forbidden. In the same sense the distribution and sale of published items on the occasion of processions, pilgrimages, and similar church institutions in the streets or squares they pass through or in their vicinity is prohibited.

II

For every incident of non-compliance with this law there will be a fine imposed up to 150 Reichsmarks, in the event that this imposition cannot be met imprisonment up to 3 months will be threatened. This does not exclude punishment according to other penal provisions on such subjects.

III

This ordinance comes into effect on the day of publication. On the same day my police regulations of 1 and 20 February 1934—Governmental Journal, Executive Part 67, p. 169, no. 332, as well as for 27 April 1934—Part II/67 Governmental Journal, p. 169, no. 333—are rescinded.

—Duesseldorf, 28 May 1934
The President of the Government
State Police Office for the Duesseldorf district,
Signed: Schmid.

National Socialist German Worker's Party
The Deputy of the Fuehrer
Chief of Staff

Muenchen, 20 March, 1941
Brown House

Personal! Secret
Circular Letter No. 5g

To all Gauleiters

Subject matter: Sequestration [Beschlagnahme] of church properties (properties of monasteries, etc.)

Valuable church properties had to be sequestered to a large extent lately, especially in Austria; according to reports of the Gauleiter to the Fuehrer these sequestrations were frequently caused by offenses against ordinances relating to war economy (e.g. hoarding of food stuffs of various kinds, textiles, leather goods etc.) In other cases they were caused by offenses against the law relating to malicious attacks against the state [Heimtueckegesetz] and in some cases because of prohibited possession of firearms. Obviously *no compensation is to be paid to the churches for sequestrations made because of the above mentioned reasons.*

With regard to further sequestrations, several Austrian Gauleiters have attempted to clarify the question who should acquire such sequestered properties at the occasion of the Fuehrer's last visit to Vienna. Please take note of the Fuehrer's decision, as contained in the letter written by Reich Minister Dr. Lammers to the Reich Minister for the Interior, dated 14, March 1941. I enclose copy of extracts of same.

(signed) M. Bormann

1 Enclosure
Certified: [signature illegible]

Copy

Berlin, 14, March 1941.
At present Fuehrer-Headquarters

The Reich Minister and
Chief of the Reich Chancellery
Rk. 3884 B

To the Reich Minister for the Interior.

Subject: Draft of an ordinance supplementing the provisions on confiscation of property of persons inimical to people and state.

Re. letter of this office dated 27 January 1941.
Rk. 19291 B II—

The Reich governors and Gauleiter von Schirach, Dr. Jury, and

Eigruber complained recently to the Fuehrer that the Reich Minister of Finance still maintains the point of view that confiscation of property of persons inimical to the people and state should be made in favor of the Reich and not in favor of the Reich Gaue. As a consequence the Fuehrer has informed me that he desires the confiscation of such properties to be effected in favor of the respective Reich Gau, in which area the confiscated property is situated, and not in favor of the Reich. Should the property be situated in several Reich Gaue, a reasonable division of the property should be attained between the Reich Gaue concerned, insofar as possible.

(signed) Dr. Lammers

Copy certified: [signed] Hall

PARTIAL TRANSLATION OF DOCUMENT R-148

Minister President General Field Marshal Goering.
Director of the Four Year Plan. Berlin, 8 March 1940
Chairman of the Cabinet Council for the
Defense of the Reich.
V. P. 4984/2
To the supreme Reich authorities
Subject: Treatment of male and female civilian workers of Polish nationality in the Reich.

The mass employment of male and female civilian workers of Polish nationality in the Reich necessitates a comprehensive ruling on treatment of these workers.

The following orders are to be executed at once:

1. The Poles are to be provided with a specially marked labor permit card with photo. This card will serve also for the purpose of police registration. The necessary orders will be issued by the Reich Labor Minister in agreement with the Reichsfuehrer-SS and chief of the German police at the Reich Ministry of the Interior.

2. The Poles have to wear a badge firmly attached on their clothing. Regulation will be issued by police decree of the Reich Minister of the Interior (Reichsfuehrer-SS and chief of the German police).

3. Poles are not to be employed in those areas where special national political dangers would be caused thereby. The Reichsfuehrer-SS in his capacity as Reich commissar for the Consolidation of the German race in agreement with the Reich labor minister will determine the definitions and limits of these areas. If

necessary, foreign workers of non-Polish nationality are to be employed in these areas.

4. The blameless conduct of the Poles is to be assured by special regulations. The legal and administrative regulations necessary for this will be issued by the Reichsfuehrer-SS and chief of the German police at the Reich Ministry of the Interior.

5. The orders apply to the territory of the Greater German Reich with the exception of the eastern territories incorporated into the Reich.

6. Attention is drawn to the explanations enclosed as appendix.

[signed] Goering

Seal: Minister President General Field Marshal Goering.
Director of the Four Year Plan.
Certified: Dietrich
Chancellery employee

Berlin, 8 October 1940

Explanations

to the letter of Minister President General Field Marshal Goering—director of the Four Year Plan—chairman of the Cabinet Council for the Defense of the Reich, to the supreme Reich authorities dated 8 March 1940, on the subject of the treatment of male and female civilian workers of Polish nationality in the Reich.

A comprehensive ruling on the question connected with the mass employment of male and female civilian workers of Polish nationality in the Reich is urgently required in order to meet the dangers arising from the employment of nearly a million members of nationalities which are strange to and, to a great extent hostile to, Germanism.

To 1.—It is a stipulation for an effective combating of these dangers, that the workers employed within the Reich are provided with sufficient personal papers. At the time of recruiting only a very superficial examination can be made; therefore it must be possible at any time to establish that Poles staying in the Reich are in possession of a labor permit and that the worker employed is the same as the person recruited. Therefore a specially marked labor permit card with photo is indispensable. As the labor permit card is an essential basis for all police inquiries a fingerprint of the bearer must be secured at the time the card is issued.

To 2.—In addition to the labor permit card which legitimized the bearer, it is also necessary to provide all Polish workers who enter the Reich with an outward mark of identification. From the very first day of his employment, there must be a guarantee that a Polish worker can be recognized as such by anybody and at any time. Only the badge serves this purpose. No defamation is intended thereby. The form of the badge will have to be in accordance with this.

To 3.—The employment of Poles brings certain dangers with it, which are restricted to definite parts of the Reich. In the same way as Polish civilian workers are not allowed in areas of the frontier zones in the west, there are other areas in Germany, where the employment specifically of Polish workers is undesirable because of national political dangers. This applies especially to Masuria, Lausitz, and areas of the Sudetenland. The employment of Poles in these areas is impracticable, whereas there is no objection to the employment of other foreign workers (Italians, Hungarians, and Ukrainians).

To 4.—The presence of nearly a million Poles in the Reich makes it necessary to regulate not only the employment as such, but also the conduct of the Poles by comprehensive measures, in order to counteract any behavior by the Poles which might prejudice the purposes of their employment, and to prevent any undesirable evidences in their relation to the German population. The measures necessary for this purpose are so manifold that they must be unified in a manner which will enable the dangers to be eliminated from the outset as far as possible. The mass employment of foreign workers in Germany is so unique and novel that no binding and detailed regulations can be made for the German people, concerning this necessary life amongst foreigners.

The test to which the German people are put in the national political sense by the presence of these foreigners must be met by the inner steadfastness of the people. It is above all the task of the party and its organizations to show up these dangers to the people by ceaseless instruction, and to make them realize the necessity of keeping distance from the Polish workers.

With regard to the Polish workers, however, regulations must be made to prevent any closer contact with the German population as far as possible. Thus Poles will have to be excluded from the cultural life of the German people, from visits to places of entertainment together with Germans and so on. These efforts must also concern the employment itself so that by employing at least an equal number of male and female Polish workers together, the Poles will be prevented from approaching German women and girls. Where this is impossible at certain places where there are concentrations of Poles, brothels with Polish girls should be established. Poles employed in towns, in commercial and industrial, or large agricultural concerns, should so far as possible, be accommodated together in special billets and in hutted encampments so that individual billetting should be necessary only in the case of smaller farms, according to circumstances.

The purpose of the employment, i.e. the furthering of the German economy, must not be hampered by the behavior of the Poles. The employment of Poles during the last few months has shown that unwillingness to work, open insubordination, abuse of liquor, absenteeism and other offenses of all kinds are always occurring. To remedy these abuses, the Poles must be made to understand, by restricting their liberty, that they have come to Germany for the sole purpose of working and that they have to comply with their duty to work. Appropriate measures, such as absolute compulsion to stay at the place of employment, more severe compulsory registration, introduction of a curfew, restrictions on the consumption of alcohol etc., must be taken at once. If the situation develops any further police orders alone will not suffice to prevent all abuses so that other administrative departments will have to cooperate in this matter. Even now it is evident that e.g. free use of public conveyances, such as railroads, omnibusses etc., is an inducement to the Poles to leave their places of work without permission and to roam about uncontrolled in the Reich and it urgently needs to be stopped.

The official authorities must make the Poles thoroughly acquainted with the orders on this matter. Whenever the Poles still offend against the orders, either by neglecting their duty to work or by insufferable behavior towards the German population, the appropriate steps, including suitable measures, if necessary, even the most severe state police measures, are to be taken at once, in order to nip dangers in the bud. As a rule, the measures are to be so devised that Poles are withdrawn from work only where necessary. Compulsory transfer to their homes will therefore hardly be permissible.

The Reichsfuehrer SS
and Chief of the German Police
at the Reich Ministry of the Interior Berlin, 8 March 1940.
IV D 2—382/40
To the Fuehrer's Deputy, Munich, Brown House.

Subject: Employment in the Reich of male and female civilian workers of Polish nationality.

Appendices: 3

With reference to the letter from the Minister President General Field Marshal Goering to the supreme Reich authorities on the subject of the treatment of male and female civilian workers of Polish nationality, I enclose as an appendix a copy of the police order of 8 March 1940 concerning distinguishing marks for these Poles, a copy of my decree dated 8 March 1940 and a copy of my letter to the Reich Labor Minister, dated 8 March 1940.

I should be grateful if during the work of instruction undertaken from there, the points of view contained in the leaflet for employers could be stressed and spread abroad particularly among the rural population.

Furthermore, I may mention that I have given further directions to the state police (district) offices to prevent the failure of the employment scheme and undesirable evidences of the relations of the male and female civilian workers of Polish nationality to the German population.

Among other things, I have ordered the immediate arrest of German nationals who have sexual intercourse with male or female workers of Polish nationality, commit other improprieties, or carry on love affairs. I do not wish this measure to prevent the effects of the justified indignation of the German population over such shameful behavior. On the contrary, I consider the deterrent effect of public defamations to be exceptionally great and I have no objection, if, for instance, German women have their heads shorn perhaps in the presence of the female youth of the village, because of their disgraceful behavior, or if they are led through the village with a label indicating their offense. The defamations should however keep to about these limits, and should not go further and result in injuries to the persons involved. Above all, they should take place before the arrest, because, once the arrested persons have been seized and police cannot set them free again.

I should be grateful if these view points were brought to the notice of the party functionaries for their *personal* information only and in order to ensure a uniform policy; it must be pointed out that measures of this kind cannot be carried out smoothly, unless there is close cooperation with the competent state police (district) office. I have given instructions to the state police (district) offices, to get in touch immediately with the competent local party functionaries.

[signed:] H. Himmler

[Seal] The Reichsfuehrer SS and Chief of the German Police at the Reich Ministry for the Interior.

Certified
Kerl
Chancellery employee

The Reich Minister of the Interior
S Pol. IV D 2—382/40

Berlin, 8 March 1940.

Police Decree
Concerning the Marking of the Male and Female Civilian Workers of Polish nationality employed in the Reich.
dated 8 March 1940

In pursuance of the decree concerning the police decrees of the Reich Minister, dated 14 November 1938 (Reich Gazette I p. 1582) the following is ordered:

1.

(1) Male and female workers of Polish nationality who are or are to be employed in civil work within the Reich, have to wear a badge on the right breast of each garment, firmly attached to the garment they are wearing. This badge must be worn visibly at all times.

(2) The badge consists of a square, with sides 5 cm. long, standing on one corner. It shows a purple colored P, 2½ cm. high, on a yellow ground with a purple colored border, ½ cm. wide.

2.

(1) Whoever offends against the regulation in section 1, whether intentionally or by negligence, is to be punished by a fine of not more than 150 RM or imprisonment for not longer than 6 weeks.

(2) Penal regulations providing a more severe punishment and police security measures remain unaffected.

3.

The Reichsfuehrer SS and chief of the German police at the

Reich Ministry of the Interior will issue the legal and administrative regulations required for the execution and carrying out of this police decree.

4.

This decree applies to the territory of the Greater German Reich with the exception of the eastern territories incorporated into the Reich.

5.

This decree comes into force 3 weeks after its publication.

for and on behalf of:
[signed:] H. Himmler

Seal: The Reichsfuehrer SS and Chief of the German Police in the Reich Ministry for the Interior.

Certified, signed Kerl
Chancellery employee

The Reichsfuehrer SS and Chief of the German Police at the Reich Ministry of the Interior.

Berlin, 8 March 1940.

IV D 2-382/40

Express Letter

To the Reich Labor Minister Berlin, SW 11, Saarland Str. 96.

Subject: Treatment of male and female civilian workers of Polish nationality employed in the Reich.

Appendices: 2

* * * * * * *

"In order to prevent untoward events which have occurred again and again, especially with regard to the behavior of Polish workers towards German women and girls, I request, as has already been expressed in the explanations accompanying the letter of Minister President, General Field Marshal Goering, that, as far as possible, equal numbers of female Polish workers be employed in the same place as male Polish workers, especially in agricultural districts.

I request that the chief of the security police, and the SD, be informed of the places where mainly or exclusively male workers only can be employed in large numbers—this will be the case especially in industrial places. He will, thus be able to prevent the dangers as far as possible, by establishing brothels with Polish girls. I therefore request that, in these cases, brothel hutments be set up simultaneously with the billets for male workers.

It is essential for the separation of the male and female civilian workers of Polish nationality from the German population, that they are housed together in billets. This will not always be possible in the case of agricultural employment, but it usually can be done in towns and in large industrial, commercial, and agricultural enterprises. Special importance may be laid on providing separate rest rooms for the work breaks. This could be made a duty of the factory when the requirement of labor is submitted.

* * * * * * *

"I should be grateful if I could have an opinion on the questions raised as soon as possible."

[signed:] H. Himmler
[Seal] The Reichsfuehrer SS and Chief of the German Police at the Reich Ministry of the Interior.
Certified
Signed: Kerl
Chancellery employee

The Reichsfuehrer SS and Chief of the German Police
at the Reich Ministry of the Interior.
S IV D 2 - 382/40

Berlin, 8 March 1940.

Express Letter

To:
The Reich Commissar for the Saar District,
The Reich governors [Statthalter] of Austria [Ostmark].
The provincial governments (provincial captains)—Ministry of the Interior.
The Government presidents in Prussia, Saxony, Bavaria, Sudenten-Gau,
The President of the Police in Berlin.

For information: To:
The Reich commissars for Defense.
The Reich governors.
The lord lieutenants in Prussia.

Subject: Treatment of male and female civilian workers of Polish nationality employed in the Reich.

Appendices: 7

* * * * * * *

3. The local police authorities are to bring the appended list (in two languages) of duties (Form I) during their stay in the Reich to the notice of the male and female civilian workers of Polish nationality when they make their compulsory registration.

The Polish workers must be informed of the list of duties by having it read out to them or given to them. Poles who can read and write may be used for this purpose. Form I may in no case be handed out either to Poles or the German employers."

* * * * * * *

"Application for form I may be made to the Reich Security Main Office."

* * * * * * *

5. A curfew for male and female civilian workers of Polish nationality, is to be instituted, for the period from April 1st to September 30th from the hours of 2100-0500, for the period from October 1st to March 31st from the hours of 2000-0600, insofar as employment does not necessitate the fixing of other specific times.

6. Civilian male and female workers of Polish nationality must obtain the written consent of the competent local police authorities before they can use public conveyances.

The consent should be withheld unless the Labor Office certifies that use of public conveyances is necessitated by their employment.

The use of merely local public conveyances is allowed without consent.

I have asked the Reich Minister for Transport also to issue orders from his sphere of office, that tickets should be issued to male and female civilian workers of Polish nationality only if the written consent of the local police authorities is produced. Corresponding measures must also be taken in the facilities for public travel in the district concerned.

7. Male and female civilian workers of Polish nationality must not be permitted to visit German cultural, church, or social functions. I have asked the Reich Minister for Church Affairs, to issue the orders necessary for the spiritual welfare of the male and female civilian workers of Polish nationality—above all for the holding of special church services.

8. Male and female civilian workers of Polish nationality must not be permitted to visit inns. However, according to the local conditions, one or several inns of a simple type may be opened to them at certain hours. No inn-keeper is to be compelled against his will, to open his inn to male and female civilian workers of Polish nationality. So far as possible, use for this purpose should be made of canteens of industrial concerns, etc. in which workers of Polish nationality are employed.

During the times fixed, no German may enter inns where Poles may go.

9. It must be made the duty of employers, to whom male and female civilian workers of Polish nationality have been sent, to report to the local police authorities immediately on any cases they become aware of where these workers fail to comply with the orders applying to them or leave their place of employment without permission."

* * * * * * *

"The higher administrative authorities are to issue the police decrees necessary for the execution of the measures ordered in Nos. 5-9. In order that the Poles may continue working, the payment of a compulsory sum or the fine laid down by the terms of provincial law, should be decided and/or imposed should they offend. Arrest and/or imprisonment may be decided and/or imposed on employers failing to comply with the orders issued in accordance with No. 9. Any male or female workers of Polish nationality who repeatedly or severely violate the orders issued, so that the imposition of a fine does not seem adequate, are to be reported to the competent state police (district) office and, if neccessary, arrested at once. The state police (district) offices have been given further instructions for combatting unwillingness to work and strikes and also the immoral behavior of workers of Polish nationality.

In order to obtain compliance with the orders, very severe action should be taken during the first eight weeks. In every district therefore, any cases which occur are to be reported at once to the competent state police (district) offices who will take measures as an example."

* * * * * * *

[signed] H. Himmler
[Seal] The Reichsfuehrer SS and Chief of the German
Police at the Reich Ministry of the Interior.
Certified: [illegible]
Chancellery employee

[Attached are several forms:

a. "*Labor card* of Polish workers from the General Government of Poland and certificate about wage savings paid in", providing space for prints of the left and right digit, name, Christian name and photo.
b. Personal card, for personal details and finger-prints, and photo.
c. Card for details of the residence of the worker.

d. "Residence form for Workers of Polish nationality" providing for details of residence, registrations and labor card Nos. etc.]

The Reichsfuehrer SS
and Chief of the German
Police at the Reich Ministry
of the Interior. Berlin, 8 March 1940.
IV D 2—382/40

Express Letter

To all state police district offices and state police offices (with the exception of those of the eastern territories incorporated into the Reich).

For Information: To:

Departments I, II, III, V, and VI, of the Reich Security Main Office,
the superior SS and police officers,
the inspectors of the security police and the SD,
the commanders of the security police and the SD,
the state police district offices and state police offices of the eastern territories incorporated into the Reich.

Subject: Treatment of male and female civilian workers of Polish nationality employed in the Reich.

Appendices: 6

* * * * * * *

The measures ordered together with the instruction of the foreign workers, will not however suffice to meet, in the necessary way, the dangers which threaten as a result of the employment in Germany of nearly a million members of a nation which is foreign and to a great extent hostile to the German people. It is therefore mainly the duty of the secret state police to combat these dangers with all means at their disposal. For this purpose the following principles are to be followed:

1. *Combatting insubordination and unwillingness to work on the part of male and female civilian workers of Polish nationality.* —The insubordinate behavior of the Polish workers, which has been observed up till now, leads to the conclusion that the orders given in the appended decree are frequently not complied with and that the fines to be imposed under them will not have a sufficiently deterrent effect. In every case where the type of the offence or the frequency of omission shows, that the offender is of an insubordinate attitude of mind, the state police must intervene

in order to guarantee the authority of official orders. For this reason I have ordered in the appended decree that such cases are to be reported to the state police (district) offices.

It is mainly the work of the secret state police to deal with cases where the success of employment is prejudiced by constant decrease in work done, strikes, incitement of the workers, absenteeism, acts of sabotage etc. It is important for this purpose to bring the male and female civilian workers of Polish nationality round to complying with their duty to work by every available method.

The steps to be taken to combat insubordination and non-compliance with the duty to work, must be decided according to the severity of the case and to the spirit of resistance of the offender. It is of most importance that they be taken immediately after the offence is committed so that they have a decisive effect. In accordance with my instructions in the appended decree, especially severe measures must be taken during the first eight weeks, in order to bring home to the workers of Polish nationality from the outset the consequences of non-compliance with the orders issued. In every district therefore, in a few cases of disobedience and unwillingness to work, the workers of Polish nationality concerned are to be transferred to labor training camps for several years. In order to increase the deterrent effect of these measures, they are to be announced verbally to the workers of Polish nationality by an official of the secret state police or of the local competent police office (e.g. gendarmerie posts) with the aid of an interpreter, especially in the factories or (agricultural) places where the punished Poles were employed.

In general, in all cases where a warning by the state police or a short imprisonment is not sufficient to induce the worker to fulfill his duties, application is to be made for his transfer to a labor training camp, and an opinion given on what treatment he should receive there. The treatment in the labor training camps will have to be in accordance with the severity of the offence. It is suitable e. g. to make obstinate shirkers work in the stone-quarries of the Mauthausen camp. By a special decree to the heads of SS-Deathshead units and concentration camps, I have ordered that the treatment of these persons under protective custody be undertaken in a concentration camp.

Extraordinarily serious cases have to be reported to the chief of the security police and the SD who, after examination, make the decision on a special treatment of the workers of Polish nationality in question.

2. *Combatting an undesirable behavior of male and female*

workers of Polish nationality towards the German population.—The measures to be taken in accordance with Section 1. must be applied in such a way as to stop the unbearable behavior of workers of Polish nationality towards the German population.

This is especially applicable in cases of sexual offences. Male and female civilian workers of Polish nationality who have intercourse with Germans, or are guilty of any other immoral behavior are to be arrested at once and are to be reported by teleprinter to the chief of the security police and the SD to be put under his own special treatment.

Germans, who have intercourse, behave immorally in other ways or have love affairs with male or female civilian workers of Polish nationality are to be arrested at once. A proposal for their transfer to a concentration camp is to be made. The arrest, however, should not make a suitable defamation of these persons by the population impossible. To this extent, I refer to my enclosed letter to the Fuehrer's deputy and request that the local party functionaries be contacted immediately in the matter and constant cooperation assured. The transfer of Germans into a concentration camp is to be announced in a short press notice whose form is determined by the Reich Security Main Office; the name is to be given.

3. *Combatting activities of the male and female civilian workers of Polish nationality which are detrimental to the Reich.*—General statements and activities by these workers of Polish nationality which are detrimental to the Reich are to be dealt with in the appropriate way as in No. 1.

* * * * * * *

4. *Searching for male and female civilian workers of Polish nationality who have escaped.*

* * * * * * *

5. *Measures with regard to the German population.*—The employment in the Reich of great numbers of male and female workers of Polish nationality necessitates measures being taken also against those Germans who behave towards these foreign workers in a manner prejudicial to the honor and dignity of the German people.

Those Germans who hinder the Poles from the duty of fulfilling their duties at work and hamper the prevention of an unpleasant behavior towards the German population, e.g. by visiting inns and billets reserved for Poles, or by buying tickets, posting letters, collecting money and clothing for them etc. are to be imprisoned for a short time, if urgent warnings are not sufficient. In more serious cases however, a proposal for a longer term of protective custody or transfer to a concentration camp may seem required.

A special eye in this respect must be kept on the churches, which may—as in the case of Polish prisoners-of-war—try to see to the spiritual care of the Polish workers of both sexes together with the German population. I refer to my letter to the Reich Minister for Church Affairs.

6. Continual reports are to be sent on the results of the orders made to ensure blameless conduct of the Poles, and of the state police measures in accordance with these.

The decree is not suitable to be forwarded to the district [Kreise] and the local police authorities.

[signed] H. Himmler
[Seal] The Reichsfuehrer SS and Chief of the German
Police at the Reich Ministry of the Interior.
Certified:
Kerl
Chancellery employee

Instructive Leaflet
for German Employers with Regards to the Employment and Treatment of Civilian Workers of Polish Nationality from the General Government

The demands upon the German war-time economy require the employment of all available workers. For this reason the German government has engaged large numbers of male and female workers of Polish nationality for employment in the Reich.

A. *General behavior towards Polish civilian workers.*—Every German employer must always bear in mind that the civilian workers of Polish nationality employed by him are members of an enemy state, and he must act accordingly. All social contact between these civilian workers and Germans is forbidden. Every employer must see that the restrictions imposed on these workers are strictly complied with. These restrictions include compulsory registration within 24 hours after arrival at the place of employment, prohibition of visits to theatres, movies, inns etc. with the German population, the obligation to wear a badge attached to outer clothing on the right breast, where it is visible, and curfew for certain hours of the night.

Germans who prejudice the success of these measures e.g. by collecting money and clothing for the Poles, who post letters or buy tickets, who visit inns which are open to Poles, during their presence etc., will be called to account. Sexual intercourse between Germans and Polish civilian workers of both sexes will be punished most severely.

Every employer must report any offences of these workers against the orders applicable, and any other undesirable conduct to the local police authorities as soon as they come to his knowledge.

The employer must see to it that his German employees restrict their contacts with Polish workers to what is strictly necessary, and avoid any contact whatsoever with them outside work.

* * * * * * *

D. *Pay*—The pay of Polish agricultural workers is on principle lower than that of German workers. The "Reich Tariff Regulations for Agricultural Workers, who are not German Citizens, with the exception of those whose Labor Conditions form the Object of Treaties", issued 8 January 1940 (Reich Labor Gazette No. 2 dated 15th January 1940) are applicable. Existing labor contracts providing for higher pay as fixed by the Reich tariff regulations may be reduced at 4 weeks notice, in accordance with an order dated 8 January 1940 issued by the Reich Trustee for Labor for the economic district of Brandenburg in his capacity as special trustee, to the schedules of the Reich tariff regulations. Civil law suits arising from the labor contracts of Polish farmworkers are to be decided by courts of arbitration set up at the appropriate labor offices, excluding the ordinary jurisdiction of the labor courts.

The working conditions for *industrial* Polish labor are equal to those of German labor unless special provisions are being issued. The Reich Ministry for Labor has published a leaflet giving information regarding the actual payment of wages to Polish civilian workers and regarding the remittance of their savings to their home country.

* * * * * * *

Duties of Male and Female Civilian Workers of Polish Nationality during their stay in the Reich

The Greater German Reich provides each and every worker of Polish nationality with work, bread, and pay. It demands in return that everyone carry out conscientiously the work allotted to him and that everyone comply carefully with the laws and orders in force. The following special regulations apply to Polish male and female workers:

1. It is strictly forbidden to leave the place of residence.

2. It is also forbidden to leave the billets during the time of curfew ordered by the police.

3. Public conveyances, such as railroads, may be used only after special consent has been obtained from the local police authority.

4. Every Polish male and female worker must always wear visibly the badge issued to him or her. They should be worn on the right breast of every piece of clothing. The badge is to be sewn onto the clothing.

5. Whoever shirks his work, strikes, incites other workers, arbitrarily absents himself from the place of employment, etc., will be transferred to a concentration camp for forced labor. Sabotage and other serious offences against work-discipline will be punished severely, at least by transfer to a labor training camp for several years.

6. All social contact with the German people is forbidden; especially visits to theatres, movies, dances, inns and churches, in company with Germans. Dancing and drinking is allowed only in inns especially allocated to Polish workers.

7. Whoever has sexual intercourse with a German man or woman, or whoever approaches them in any other improper manner, will be punished by death.

8. Every offence against the orders and regulations issued for civilian workers of Polish nationality will be punished in Germany. Nobody will be sent back to Poland.

9. Every Polish male and every Polish female worker must always bear in mind, that they came to work in Germany of their own free will. Whoever works satisfactorily, obtains bread and pay. Whoever shirks his work or disregards the regulations issued, will be taken to account severely, especially during war time.

The Reichsfuehrer SS
and Chief of the German Police
at the Reich Ministry
of the Interior.

Berlin, 8 March 1940

IV D 2—382/40
To the Reich Minister for Church Affairs
Berlin, W 8
Leipziger Strasse 3

Subject: Spiritual welfare of male and female civilian workers of Polish nationality employed in the Reich.

Appendices: 2

The employment of great numbers of male and female workers of Polish nationality in the Reich has necessitated a comprehensive ruling on the treatment of these workers. The basis for this regulation is the letter of the Minister President, General Field Marshal Goering of 8th March, addressed to the supreme Reich authorities. In the sphere of police matters the orders given in the appended Police decree of 8 March 1940 and the decree, also appended, dated 8th March 1940, have been issued.

Undesirable evidences in the relations of the male and female civilian workers of Polish nationality to the German people are to be prevented. Therefore it should be avoided as far as possible that these workers have any contact whatsoever with the German population, unless it has a direct connection with the employment itself. For this reason I have issued an order to the effect that Poles are prohibited from visiting church functions of the German people, and especially from attending services.

The churches and their various representatives may now be expected in the same way (as they did in the case of Polish prisoners of war), to take an interest in male and female civilian workers of Polish nationality, to hold services for them together with the German population, to collect money and gifts in kind for them, and to try to establish similar connections between the German population and these workers.

For this reason I ask you to take precautions that the civilian male and female workers are excluded from the general church services for Germans. Spiritual care of them should be undertaken by way of special church services, open only to them. *No* sermons should be preached and *no* use should be made of the Polish language. Any church welfare of these workers should be undertaken separately from the German population.

I deem it necessary further to make it clear to the churches that they may have no dealings whatsoever with the male and female civilian workers of Polish nationality except in purely spiritual welfare.

I have made appropriate state police measures to deal with any conduct of the clergy which is contrary to these principles.

I should be grateful if the Reich Security Main Office would be informed of any measures to be taken on your part.

[signed:] H. Himmler

[Seal]

The Reichsfuehrer SS and Chief of the German Police in the Reich Ministry for the Interior.

Certified:
[signed] Kerl
Chancellery employee.

PARTIAL TRANSLATION OF DOCUMENT R-150

PLAN STUDY 1938

Top Secret
By officer's hand only
To: Air Force Group Command 3
Az. Plst. 38/Ia op
No. 450/38 Top Secret
Top Secret Matter of 2 June 1938

38 copies
Copy No. 16

Main Part III

Instruction for Deployment and Combat
"Case Red"

Place Names according to Geo Survey Map 1: 1,000,000

Arrangement of Main Part III, "Case Red," of Plan Study 1938

Preface

Part A	*General principles* for combat in the event of "Case Red".
Part B	*Air attack* against the west.
Part C	Instructions for deployment and first employment of *air defense forces* in the event of "Case Red".
Part D	Instructions for signal *communications service* in the event of "Case Red".
Part E	*Formations* of air force group 3 which in the event of "Case Red" are *to be attached to the army,* and *airdromes* in the area of air force

		group 3 which are *to be taken over by the army.*
Part F		Instructions concerning *supply.*
Part G		Instructions for preparation of *marches and railroad movements.*
Part H		*List of signals* and method of transmission.
Part J		*Deadlines.*
Part K		Supply with *target information* and *maps.*
Enclosure	1	First employment of *ground crew* companies.
Enclosure	2	*French Air Force:* Deployment areas, ground organization, supply installations.
Enclosure	3	French *deployment routes: Targets for interference.*
Enclosure	3a	French *deployment routes:* Stretches in open country favorable for cutting.
Enclosure	4	First priority *power and transformer stations, oil refineries, oil depots, disembarkation ports.*
Enclosure	5	"Case Red", *"Air Defense Red".*
Enclosure	6	Air force group 3—*Telephone communications* (Net Ludwig).
Enclosure	7	Air force group 3—*Teleprinter communications* (Net Ludwig).
Enclosure	8	Air force group 3—*Telegraph communications* (Net Ludwig).
Enclosure	9	Survey map of networks for leadership and command; *Radio communications.*
Enclosure	10	*Flight control* and *radio navigation.*
Enclosure	11	Static ground *network for flight signals* and employment of *flight signal companies* in air force group 3, including Tyrol and Vorarlberg, with attachment *"List of places with their numbers".*

Preface

1. In order to elaborate the preparations for "Case Red", formations will base individual maneuvers and field discussions on assignments corresponding to this case of action. They will bear in mind the restrictions prescribed in Main Part I, Part B I, Article 5.

2. The officers of attack formations and reconnaissance groups F must be familiar with the possible *priority targets;* they will also inform themselves about all targets within the combat area which are of interest to the air force.

3. Necessary reconnaissance on the subject of air defense will be assigned to the troops as individual reconnaissance tasks for the air defense target file and will be treated as top secret matter. The troops must not be able to deduce from the assignments a picture of the total deployment planned.

Part A. *General principles* for combat in the event of "Case Red".

The Enemy

I.

1. Military-political situation—Opening move of war:

If war threatens between France and Germany, it is expected that hostilities will be started by France. France will:

a. either interfere in the struggle between the Reich and Czechoslovakia in the course of "Case Green", or

b. start hostilities simultaneously with Czechoslovakia.

c. It is possible but not likely that France will begin the fight, while Czechoslovakia still remains aloof.

It may be assumed that France will begin the war with her air force, probably without a declaration of war. England's entry into the war and the employment of English air forces, even from continental bases, must be reckoned with. Belgium's participation is uncertain. It is doubtful whether France and England will respect a possible Belgian neutrality. It is unlikely that France will respect the neutrality of Luxembourg.

German formations will not fly over Belgian and Luxembourg territory until they receive specific orders from the supreme command of the Air Force.

[Translator's note: here follow speculations as to the probable deployment and strategic plan of the French Air Force.]

* * * * * * *

11. Intention of the commanding general and of the commander of Air Force Group 3

a. Combat area: The whole area of France.

[Translator's note: here follows delineation of combat area of Air Force Group 3 as against that of Air Force Group 2.]

* * * * * * *

Combat (including reconnaissance, but excluding contact with enemy formations which have carried out attacks in form of raids) will not be started until the supreme commander of the Air Force has given the signal: "Western frontier clear for flight".

b. Intention: Regardless of whether France enters the war as a result of "Case Green" or whether she makes the opening move of the war simultaneously with Czechoslovakia, in any case the mass of the German offensive formations will, in conjunction with the army, first deliver the decisive blow against Czechoslovakia.

Until the main forces employed in the southeast become available, it will be the task of Air Force Group 3 to prevent France from obtaining complete freedom of action in the air. For this purpose, attacks will be carried out continuously, in varying strength and in irregular sequence; air defense will be mobile and will be concentrated on focal points. In addition it may be necessary in exceptional cases to relieve Army Group West through concentrated use [Translator's note: of the air force] at threatened parts of the front or through attacks against the deploying French armies, the deployment routes and the supply service.

It is intended to use parachute sabotage troops, which will be assigned by the supreme command of the Air Force from case to case, for the purpose of destroying suitable targets, against which bombing raids cannot guarantee decisive success.

By means of simulated activities on as many peacetime airports as possible and on other airdromes known to the enemy, further by installing new dummy airdromes and by distributing our own forces in small units over a wide area, we intend to create a deceptive impression of great fighting strength and to split up the enemy's combat forces.

Later phase:

If stronger forces are assigned in the course of the operations, the main task will be:

To break up the French flying formations on their airdromes, to destroy their supply depots and the vital installations on the airdromes.

In addition, preparations will be made for:

aa. Attacks against power and transformer stations which are indispensable for the supply of power to the armament industries in and around Paris (the most important stations which are to be destroyed first are marked on Enclosure 4).

bb. Attacks against the French fuel supply, especially the refineries and oil depots (for the most important installations see Enclosure 4).

cc. Attacks against [translator's note: troops and cargoes] unloading in the French Mediterranean Ports (see Enclosure 4).

These attacks, as well as attacks on airdromes and supply depots in the Paris zone will not be carried out until a specific order is received from the Supreme Commander of the Air Force.

* * * * * * *

24. *Preparatory measures for employment against the West of further aggressive air forces freed from service in the Southeast.*

a. As the enterprise against Czechoslovakia progresses, aggressive air forces freed from service in the Southeast will, in the event of "Case Red", be transferred to the West and employed against France with as much sudden force [Schlagartig] as possible.

Depending on the development of the situation in the Southeast, the transfer of reinforcements to the West may become possible already a few days after "Case Red" starts.

The strength of these forces cannot be determined exactly beforehand. The following are the maximum forces which may be counted upon (additional to the forces already employed in the West by the Commanding General of Air Force Group 3):

3 Air Division Commanders with, on the average:
2 combat "geschwader", 1 dive-bomber group and 1 reconnaissance
"Staffel" or Group (F) each.

(Therefore total strength roughly up to 30 combat and dive-bomber Groups).

For combat objectives of the Commanding General of Air Force Group 3 after receipts of reinforcements, see Part A, Article 11.

* * * * * * *

Part J
Deadlines

15 July 1938:	Luftgau Commands will: Report that the preparations ordered in Plan Study 1938 Main Part III for the event of "Case Red" have been completed (cf. Article 2 of covering letter (Anschreiben) of Decree Lw. Gruppenkommando 3 Az. Plst.38/Ia op No.450/38 Top Secret 2 June 1938 concerning Plan Study 1938).
15 July 1938:	Luftgau Commands will: Effect change of distribution of Air Defense forces in accordance with Part C, Article 16 *a*, Submit marching orders in accordance with Part C, Article 16 *e* and *f*, Report that the issue of assignment orders has been completed, in accordance with Part C, Article 16 *e* and *f*

1 August 1938 1 November 1938 1 March 1939	Report concerning substitute field airdromes in accordance with Part E, Article 8, by Luftgau Commands VII, XII and XIII.

COPY OF DOCUMENT TC-1

INTERNATIONAL CONVENTION
FOR THE
PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.

Signed at the Hague
July 29, 1899

With an Appendix containing Certificates of Exchange of such Ratifications of Powers Parties to the Convention as had been deposited at the Hague down to July 15, 1901.

APPENDIX
No. 1
Great Britain

Le premier Soussigne declare avoir remis et le second Soussigne declare avoir recu pour etre depose dans les archives d'Etat du Royaume des Pays-Bas, l'Acte du Royaume-Uni de la Grande-Bretagne et d'Irlande, portant la ratification de la Convention pour le Reglement Pacifique des Conflits Internationaux.

En foi de quoi des Soussignes ont dresse le present proces-verbal en un seul exemplaire dont une copie, certifiee conforme, sera transmise par la voie diplomatique a toutes les Puissances qui ont ete representees a la Conferenc Interenationale de la Paix de la Haye.

Fait en cette ville, le 4 Septembre 1900.

L'Envoye Extraordinaire et Ministre,
Plenipotentiaire de Sa Majeste la Reine du Royaume-
Uni de la Grande-Bretange et d'Irlande,
HENRY HOWARD.

Le Ministre des Affaires Etrangeres de Sa
Majeste la Reine des Pays-Bas,
W. H. DE BEAUFORT.

Certifie pour copie conforme:
Le Secretaire-General
du Departement des Affaires Etrangeres,
L. H. Ruyssenaers.

No. 2

Germany

Le premier Soussigne declare avoir remis et le second Soussigne declare avoir recu pour etre depose dans les archives d'Etat du Royaume des Pays-Bas, l'Acte de l'Empire d'Allemagne, portant la ratification de la Convention pour le Reglement Pacifique des Conflits Internationaux.

En foi de quoi les Soussignes ont dresse le present proces-verbal en un seul exemplaire dont une copie certifiee conforme sera transmise par la voie diplomatique a toutes les Puissances qui ont ete representees a la Conference Internationale de la Paix de La Haye.

Fait en cette ville le 4 Septembre 1900.

L'Envoye Extraordinaire et Ministre
Plenipotentiaire de Sa Majeste l'Empereur
d'Allemagne, Roi de Prusse,
F. POURTALES.

Le Ministre de Affaires Etrangeres de
Sa Majeste la Reine des Pays-Bas,
W. H. DE BEAUFORT

Certifie pour copie conforme:
Le Secretaire-General,
du Départment des Affaires Étrangeres,
L. H. RUYSSENAERS.

Title I—On the Maintenance of General Peace.

ARTICLE I.

With a view to obviating, as far as possible, recourse to force in the relations between States, the Signatory Powers agree to use their best efforts to insure the pacific settlement of international differences.

22.

Title II—On Good Offices and Mediation.

ARTICLE II.

In case of serious disagreement or conflict, before an appeal to arms, The Signatory Powers agree to have recourse as far as circumstances allow, to the good offices or mediation of one or more friendly powers.

ARTICLE III.

Independently of this recourse, the Signatory Powers recommend that one or more Powers strangers to the dispute should

on their own initiative and as far as circumstances may allow, offer their good offices or mediation to the States at variance.

Powers strangers to the dispute have the right to offer good offices or mediation, even during the course of hostilities.

The exercise of this right can never be regarded by one or the other of the parties in conflict as an unfriendly act.

ARTICLE IV.

The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the States at variance.

ARTICLE V.

The functions of the mediator are at an end when once it is declared either by one of the parties to the dispute or by the mediator himself that the means of reconciliation proposed by him are not accepted.

ARTICLE VI.

Good offices and mediation, either at the request of the parties at variance or on the initiative of Powers strangers to the dispute, have exclusively the character of advice, and never have binding force.

ARTICLE VII.

The acceptance of mediation cannot, unless there be an agreement to the contrary, have the effect of interrupting, delaying, or hindering mobilization or other measures of preparation for war.

If mediation occurs after the commencement of hostilities, it causes no interruption to the military operations in progress, unless there be an agreement to the contrary.

ARTICLE VIII.

The Signatory Powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form:—

In case of a serious difference endangering the peace, the States at variance choose respectively a Power to whom they intrust the mission of entering into direct communication with the Power chosen on the other side, with the object of preventing the rupture of pacific relations.

For the period of this mandate, the term of which, unless otherwise stipulated, cannot exceed thirty days, the States in conflict cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating Powers, who must use their best efforts to settle it.

In case of a definite rupture of pacific relations, these Powers are charged with the joint task of taking advantage of any opportunity to restore peace.

Title III—On International Commissions of Inquiry.

ARTICLE IX

In differences of an international nature involving neither honour nor vital interests, and arising from a difference of opinion on points of fact the Signatory Powers recommend that the parties, who have not been able to come to an agreement by means of diplomacy, should as far as circumstances allow, institute an International Commission of Inquiry, to facilitate a solution of these differences by elucidating the facts by means of an impartial and conscientious investigation.

ARTICLE X.

The International Commissions of Inquiry are constituted by special agreement between the parties in conflict.

The Convention for an inquiry defines the facts to be examined and the extent of the Commissioner's powers.

It settles the procedure.

On the inquiry both sides must be heard.

The form and the periods to be observed, if not stated in the Inquiry Convention, are decided by the Commission itself.

ARTICLE XI.

The International Commissions of Inquiry are formed, unless otherwise stipulated, in the manner fixed by Article XXXII of the present convention.

* * * * * * *

COPY OF DOCUMENT TC-2

HAGUE CONVENTION (1) FOR THE PACIFIC SETTLEMENT OF THE INTERNATIONAL DISPUTES—1907.

His Majesty the German Emperor, King of Prussia; the President of the United States of America; the President of the Argentine Republic; His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Royal Highness the Prince of Bulgaria; the President of the Republic of Chile; His Majesty the Emperor of China; the President of the Republic of Colombia; the Provisional Governor of the Republic of Cuba; His Majesty the King of Denmark; the

President of the Dominican Republic; the President of the Republic of Ecuador; His Majesty the King of Spain; the President of the French Republic. His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the King of the Hellenes; the President of the Republic of Guatemala; the President of the Republic of Haiti; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxembourg, Duke of Nassau; the President of the United States of Mexico; his Royal Highness the Prince of Montenegro; the President of the Republic of Nicaragua; His Majesty the King of Norway; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; the President of the Republic of Peru; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves, etc.; His Majesty the King of Roumania; His Majesty the Emperor of All the Russias; the President of the Republic of Salvador; His Majesty the King of Servia; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; His Majesty the Emperor of the Ottomans; the President of the Oriental Republic of Uruguay; the President of the United States of Venezuela;

Animated by a strong desire to concert for the maintenance of general peace;

Resolved to promote by their best efforts the friendly settlement of international disputes;

Recognizing the solidarity uniting the members of the society of civilized nations;

Desirous of extending the empire of law and of strengthening the appreciation of international justice;

Convinced that the permanent institution of a Tribunal of Arbitration accessible to all, in the midst of independent Powers, will contribute effectively to this result;

Having regard to the advantage of the general and regular organization of the procedure of arbitration;

Sharing the opinion of the august initiator of the International Peace Conference that it is expedient to record in an International Agreement the principles of equity and right on which are based the security of States and the welfare of peoples; and

Being desirous, with this object, of insuring and improving the working in practice of Commissions of Inquiry and Tribunals of Arbitration and of facilitating recourse to arbitration in cases which allow a summary procedure;

Have deemed it necessary to revise in certain particulars and to complete the work of the First Peace Conference for the pacific settlement of international disputes;

The High Contracting Parties have resolved to conclude a new Convention for this purpose, and have appointed as their Plenipotentiaries, that is to say:

[Names of Plenipotentiaries.]

Who, after having deposited their full powers, found to be in good and due form, have agreed upon the following:—

Part I.

THE MAINTENANCE OF GENERAL PEACE

Article 1.

With a view of obviating as far as possible recourse to force in the relations between States, the Contracting Powers agree to use their best efforts to ensure the pacific settlement of international differences.

Part II.

GOOD OFFICES AND MEDIATION

Article 2.

In case of serious disagreement or dispute, before an appeal to arms, the Contracting Powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly Powers.

Article 3.

Independently of this recourse, the Contracting Powers deem it expedient and desirable that one or more Powers, strangers to the dispute, should, on their own initiative and as far as circumstances allow, offer their good offices or mediation to the States at variance.

Powers strangers to the dispute have the right to offer good offices or mediation even during the course of hostilities.

The exercise of this right can never be regarded by either of the contending parties as an unfriendly act.

Article 4.

The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the States at variance.

Article 5.

The duties of the mediator are at an end when once it is declared, either by one of the contending parties or by the mediator himself, that the means of reconciliation proposed by him are not accepted.

Article 6.

Good offices and mediation undertaken either at the request of the contending parties or on the initiative of Powers strangers to the dispute have exclusively the character of advice, and never have binding force.

Article 7.

The acceptance of mediation cannot, in default of agreement to the contrary, have the effect of interrupting, delaying, or hindering mobilization or other measures of preparation for war.

If mediation takes place after the commencement of hostilities, the military operations in progress are not interrupted, in default of agreement to the contrary.

Article 8.

The Contracting Powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form:—

In case of a serious difference endangering peace, the States at variance choose respectively a Power, to which they intrust the mission of entering into direct communication with the Power chosen on the other side, with the object of preventing the rupture of pacific relations.

For the period of this mandate, the term of which, in default of agreement to the contrary, may not exceed thirty days, the contending States cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating Powers. These Powers shall use their best efforts to settle the dispute.

In case of a definite rupture of pacific relations, these Powers remain jointly charged with the task of taking advantage of any opportunity to restore peace.

COPY OF DOCUMENT TC-3

HAGUE CONVENTION (3) RELATIVE TO THE OPENING OF HOSTILITIES—1907.

His Majesty the German Emperor, King of Prussia; the President of the United States of America; the President of the Argentine Republic; His Majesty the Emperor of Austria, King of Bohemia, etc., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Royal Highness the Prince of Bulgaria; the President of the Republic of Chile; His Majesty the Emperor of

China; the President of the Republic of Colombia; the Provisional Governor of the Republic of Cuba; His Majesty the King of Denmark; the President of the Dominician Republic; the President of the Republic of Ecuador; His Majesty the King of Spain; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the King of the Hellenes; the President of the Republic of Guatemala; the President of the Republic of Haiti; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; the President of the United States of Mexico; His Royal Highness the Prince of Montenegro; the President of the Republic of Nicaragua; His Majesty the King of Norway; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; the President of the Republic of Peru; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves, etc., His Majesty the King of Roumania; His Majesty the Emperor of All the Russias; the President of the Republic of Salvador; His Majesty the King of Servia; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; His Majesty the Emperor of the Ottomans; the President of the Oriental Republic of Uruguay; the President of the United States of Venezuela;

Considering that it is important, in order to ensure the maintenance of pacific relations, that hostilities should not commence without previous warning.

That it is equally important that the existence of a state of war should be notified without delay to neutral Powers; and

Being desirous of concluding a Convention to this effect, have appointed the following as their Plenipotentiaries:

[Names of Plenipotentiaries.]

Who, after having deposited their full powers found to be in good and due form, have agreed upon the following provisions:

Article 1.

The Contracting Powers recognize that hostilities between them must not commence without a previous and explicit warning, in the form of either a declaration of war, giving reasons, or an ultimatum with a conditional declaration of war.

Article 2.

The existence of a state of war must be notified to the neutral Powers without delay, and shall not be held to affect them until after the receipt of a notification, which may however, be given by telegraph. Nevertheless, neutral Powers may not rely on the absence of notification if it be established beyond doubt that they were in fact aware of the existence of a state of war.

Article 3.

Article 1 of the present Convention shall take effect in case of war between two or more of the Contracting Powers.

Article 2 applies as between a belligerent Power which is a party to the Convention and neutral Powers which are also parties to the Convention.

Article 4

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a Protocol signed by the Representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.

A duly certified copy of the Protocol relating to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, and of the instruments of ratification, shall be immediately sent by the Netherland Government through the diplomatic channel to the Powers invited to the Second Peace Conference, as well as to the other Powers which have acceded to the Convention. The said Government shall, in the cases contemplated in the preceding paragraph, inform them at the same time of the date on which it received the notification.

Article 5.

Non-Signatory Powers may accede to the present Convention.

A Power which desires to accede notifies its intention in writing to the Netherland Government, forwarding to it the act of accession, which shall be deposited in the archives of the said Government.

The said Government shall immediately forward to all the other Powers a duly certified copy of the notification as well as of the act of accession, mentioning the date on which it received the notification.

Article 6.

The present Convention shall take effect, in the case of the Powers which were parties to the first deposit of ratifications, sixty days after the date of the Protocol recording such deposit, and, in the case of the Powers which shall ratify subsequently or which shall accede, sixty days after the notification of their ratification or of their accession has been received by the Netherland Government.

Article 7.

In the event of one of the High Contracting Parties wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall immediately communicate a duly certified copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall only operate in respect of the denouncing Power, and only on the expiry of one year after the notification has reached the Netherland Government.

Article 8.

A register kept by the Netherland Ministry for Foreign Affairs shall record the date of the deposit of ratifications effected in virtue of Article 4, paragraphs 3 and 4, as well as the date on which the notifications of accession (Article 5, paragraph 2) or of denunciation (Article 7, paragraph 1) have been received.

Each Contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the Plenipotentiaries have appended their signatures to the present Convention.

Done at The Hague, the 18th October, 1907, in a single original, which shall remain deposited in the archives of the Netherland Government, and of which duly certified copies shall be sent, through the diplomatic channel, to the Powers invited to the Second Peace Conference.

COPY OF DOCUMENT TC–4

HAGUE CONVENTION (5) RESPECTING THE RIGHTS AND DUTIES OF NEUTRAL POWERS AND PERSONS IN WAR ON LAND—1907.

His Majesty the German Emperor, King of Prussia; the President of the United States of America; the President of the Argentine Republic; His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary; His Majesty the King of the Belgians; the President of the Republic of Bolivia; the President of the Republic of the United States of Brazil; His Royal Highness the Prince of Bulgaria; the President of the Republic of Chile; His Majesty the Emperor of China; the President of the Republic of Colombia; the Provisional Governor of the Republic of Cuba; His Majesty the King of Denmark;

the President of the Dominican Republic; the President of the Republic of Ecuador; His Majesty the King of Spain; the President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India; His Majesty the King of the Hellenes; the President of the Republic of Guatemala; the President of the Republic of Haiti; His Majesty the King of Italy; His Majesty the Emperor of Japan; His Royal Highness the Grand Duke of Luxemburg, Duke of Nassau; the President of the United States of Mexico; His Royal Highness the Prince of Montenegro; the President of the Republic of Nicaragua; His Majesty the King of Norway; the President of the Republic of Panama; the President of the Republic of Paraguay; Her Majesty the Queen of the Netherlands; the President of the Republic of Peru; His Imperial Majesty the Shah of Persia; His Majesty the King of Portugal and of the Algarves, &c.; His Majesty the King of Roumania; His Majesty the Emperor of All the Russias; the President of the Republic of Salvador; His Majesty the King of Servia; His Majesty the King of Siam; His Majesty the King of Sweden; the Swiss Federal Council; His Majesty the Emperor of the Ottomans; the President of the Oriental Republic of Uruguay; the President of the United States of Venezuela:

With the view of laying down more clearly the rights and duties of neutral Powers in case of war on land and of regulating the position of belligerents who have taken refuge in neutral territory;

Being likewise desirous of defining the meaning of the term "neutral," pending the possibility of settling, in its entirety, the position of neutral persons in their relations with belligerents;

Have resolved to conclude a Convention to this effect, and have, in consequence, appointed as their Plenipotentiaries, that is to say:

[Names of Plenipotentiaries.]

Who, after having deposited their full powers, found to be in good and due form, have agreed upon the following provisions:—

Chapter I.

THE RIGHTS AND DUTIES OF NEUTRAL POWERS.

Article 1.

The territory of neutral Powers is inviolable.

Article 2.

Belligerents are forbidden to move troops or convoys, whether of munitions of war or of supplies, across the territory of a neutral Power.

Article 3.

Belligerents are likewise forbidden to:

(*a*) Erect on the territory of a neutral Power a wireless telegraphy station or any apparatus for the purpose of communicating with belligerent forces on land or sea;

(*b*) Use any installation of this kind established by them for purely military purposes on the territory of a neutral Power before the war, and not previously opened for the service of public messages.

Article 4.

Corps of combatants must not be formed, nor recruiting agencies opened, on the territory of a neutral Power, to assist the belligerents.

Article 5.

A neutral Power must not allow any of the acts referred to in Articles 2 to 4 to occur on its territory.

It is not called upon to punish acts in violation of neutrality unless such acts have been committed on its own territory.

Article 6.

The responsibility of a neutral Power is not involved by the mere fact that persons across the frontier individually in order to offer their services to one of the belligerents.

Article 7.

A neutral Power is not bound to prevent the export or transit, for either belligerent, of arms, munitions of war, or, in general, of anything which could be of use to an army or fleet.

Article 8.

A neutral Power is not bound to forbid or restrict the use on behalf of belligerents of telegraph or telephone cables, or of wireless telegraphy apparatus, belonging to it or to Companies or to private individuals.

Article 9.

A neutral Power must apply impartially to the belligerents every restriction or prohibition which it may enact in regard to the matters referred to in Articles 7 and 8.

The neutral Power shall see that the above obligation is observed by Companies or private owners of telegraph or telephone cables or wireless telegraphy apparatus.

Article 10.

The fact of a neutral Power resisting, even by force, attempts to violate its neutrality cannot be regarded as a hostile act.

Chapter II.

INTERNMENT OF BELLIGERENTS AND CARE OF THE WOUNDED IN NEUTRAL TERRITORY.

Article 11.

A neutral Power which receives on its territory troops belonging to the belligerent armies shall intern them, as far as possible, at a distance from the theater of war.

It may keep them in camps and may even confine them in fortresses or in places set apart for the purpose.

It shall decide whether officers may be left free on giving their parole not to leave the neutral territory without permission.

Article 12.

In default of special Agreement, the neutral Power shall supply the interned with the food, clothing, and relief which the dictates of humanity prescribe.

At the conclusion of peace the expenses caused by the internment shall be made good.

Article 13.

A neutral Power which receives escaped prisoners of war shall leave them at liberty. If it allows them to remain in its territory it may assign them a place of residence.

The same rule applies to prisoners of war brought by troops taking refuge in the territory of a neutral Power.

Article 14.

A neutral Power may authorize the passage into its territory of the sick and wounded belonging to the belligerent armies, on condition that the trains or other methods of transport by which they are conveyed shall carry neither combatants nor war material. In such a case, the neutral Power is bound to take whatever measures of safety and control are necessary for the purpose.

The sick and wounded of one belligerent brought under these conditions into neutral territory by the other belligerent must be so kept by the neutral Power as to ensure their taking no further part in the military operations. The same duty shall devolve on the neutral State with regard to the sick and wounded of the other army who may be committed to its care.

Article 15.

The Geneva Convention applies to the sick and wounded who are interned in neutral territory.

Chapter III.

NEUTRAL PERSONS.

Article 16.

The subjects or citizens of a State which is not taking part in the war are deemed neutrals.

Article 17.

A neutral cannot claim the benefit of his neutrality:

(*a*) If he commits hostile acts against a belligerent;

(*b*) If he commits acts in favour of a belligerent, particularly if he voluntarily enlists in the ranks of the armed force of one of the parties.

In such a case, the neutral shall not be more severely treated by the belligerent as against whom he has abandoned his neutrality than a subject or citizen of the other belligerent State could be for the same act.

Article 18.

The following shall not be considered as acts committed in favour of one belligerent within the meaning of Article 17, letter (*b*):

(*a*) The furnishing of supplies or the making of loans to one of the belligerents, provided that the person so doing neither lives in the territory of the other party nor in territory occupied by it, and that the supplies do not come from such territory;

(*b*) Services rendered in matters of police or civil administration.

Chapter IV.

RAILWAY MATERIAL.

Article 19.

Railway material coming from the territory of neutral Powers, whether it be the property of the said Powers or of Companies or private persons, and recognizable as such, shall not be requisitioned or utilized by a belligerent except in so far as is absolutely necessary. It shall be sent back as soon as possible to the country of origin.

A neutral Power may likewise, in case of necessity, retain and utilize to a corresponding extent railway material coming from the territory of the belligerent Power.

Compensation shall be paid on either side in proportion to the material used, and to the period of usage.

Chapter V.
FINAL PROVISIONS.

Article 20.

The provisions of the present Convention do not apply except between Contracting Powers, and then only if all the belligerents are parties to the Convention.

Article 21.

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a Protocol signed by the Representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.

A duly certified copy of the Protocol relating to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, and of the instruments of ratification shall be immediately sent by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference as well as to the other Powers which have acceded to the Convention. The said Government shall, in the case contemplated in the preceding paragraph, inform them at the same time of the date on which it received the notification.

Article 22.

Non-Signatory Powers may accede to the present Convention.

A Power which desires to accede notifies its intention in writing to the Netherland Government, forwarding to it the act of accession, which shall be deposited in the archives of the said Government.

The said Government shall immediately forward to all the other Powers a duly certified copy of the notification as well as of the act of accession, mentioning the date on which it received the notification.

Article 23.

The present Convention shall take effect, in the case of the Powers which were parties to the first deposit of ratifications, sixty days after the date of the Protocol recording such deposit, and, in the case of the Powers which shall ratify subsequently or which shall accede, sixty days after the notification of their ratification or of their accession has been received by the Netherland Government.

Article 24.

In the event of one of the Contracting Powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall immediately communicate a duly certified copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall only operate in respect of the denouncing Power, and only on the expiry of one year after the notification has reached the Netherland Government.

Article 25.

A register kept by the Netherland Ministry of Foreign Affairs shall record the date of the deposit of ratifications effected in virtue of Article 21, paragraphs 3 and 4, as well as the date on which the notifications of accession (Article 22, paragraph 2) or of denunciation (Article 24, paragraph 1) have been received.

Each Contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

In faith whereof the Plenipotentiaries have appended their signatures to the present Convention.

Done at The Hague, the 18th October, 1907, in a single original, which shall remain deposited in the archives of the Netherland Government, and of which duly certified copies shall be sent, through the diplomatic channel to the Powers invited to the Second Peace Conference.

PARTIAL COPY OF DOCUMENT TC–5

VERSAILLES TREATY,
ARTICLES 42–44.

Section III.
LEFT BANK OF THE RHINE.

Article 42.

Germany is forbidden to maintain or construct any fortifications either on the left bank of the Rhine or on the right bank to the west of a line drawn 50 kilometers to the East of the Rhine.

Article 43.

In the area defined above, the maintenance and the assembly of armed forces, either permanently or temporarily, and military manoeuvres of any kind, as well as the upkeep of all permanent works for mobilization, are in the same way forbidden.

Article 44.

In case Germany violates in any manner whatever the provisions of Articles 42 and 43, she shall be regarded as committing a hostile act against the Powers signatory of the present Treaty and as calculated to disturb the peace of the world.

PARTIAL COPY OF DOCUMENT TC-6

VERSAILLES TREATY,
Section VI, Article 80.

AUSTRIA

Germany acknowledges and will respect strictly the independence of Austria within the frontiers which may be fixed in a treaty between that State and the Principal Allied and Associated Powers; she agrees that this independence shall be inalienable, except with the consent of the Council of the League of Nations.

PARTIAL COPY OF DOCUMENT TC-7

VERSAILLES TREATY,
Section VII, Article 81.

CZECHO-SLOVAK STATE

Germany, in conformity with the action already taken by the Allied and Associated Powers, recognizes the complete independence of the Czecho-Slovak State which will include the autonomous territory of the Ruthenians to the south of the Carpathians. Germany hereby recognizes the frontiers of this State as determined by the Principal Allied and Associated Powers and the other interested States.

PARTIAL COPY OF DOCUMENT TC-8

VERSAILLES TREATY,
Section X, Article 99.

MEMEL

Germany renounces in favor of the Principal Allied and Associated Powers all rights and title over the territories included between the Baltic, the north eastern frontier of East Prussia as defined in Article 28 of Part II (Boundaries of Germany) of the present Treaty and the former frontier between Germany and Russia.

Germany undertakes to accept the settlement made by the Principal Allied and Associated Powers in regard to these territories, particularly in so far as concerns the nationality of the inhabitants.

PARTIAL COPY OF DOCUMENT TC-9

VERSAILLES TREATY, Section XI, Article 100.

FREE CITY OF DANZIG

Germany renounces in favour of the Principal Allied and Associated Powers all rights and title over the territory comprised within the following limits:

From the Baltic Sea southwards to the point where the principal channels of navigation of the Nogat and the Vistula (Weichsel) meet;

The boundary of East Prussia as described in Article 28 of Part II (Boundaries of Germany) of the present Treaty;

Thence the principal channel of navigation of the Vistula downstream to a point about 6½ kilometres north of the bridge of Dirschau;

Thence north-west to point 5, 1½ kilometres south-east of the church of Guettland:

A line to be fixed on the ground;

Thence in a general westerly direction to the salient made by the boundary of the Kreis of Berent 8½ kilometres north-east of Schoeneck:

A line to be fixed on the ground passing between Muehlbanz on the south and Rambeltsch on the north;

Thence the boundary of the Kreis of Berent westwards to the re-entrant which it forms 6 kilometres north north-west of Schoeneck;

Thence to a point on the median line of Lonkener See:

A line to be fixed on the ground passing north of Neu Fietz and Schatarpi and south of Barenhuette and Lonken;

Thence the median line of Lonkener See to its northernmost point;

Thence to the southern end of Pollenziner See:

A line to be fixed on the ground;

Thence the median line of Pollenziner See to its northernmost point;

Thence in a north-easterly direction to a point about 1 kilometre south of Koliebken church, where the Danzig-Neustadt railway crosses a stream;

A line to be fixed on the ground passing south-east of Kamehlen, Krissau, Fidlin, Sulmin (Richthof), Mattern, Schaeferei, and to the north-east of Neuendorf, Marschau, Czapielken, Hoch- and Klein-Kelpin, Pulvermuehl, Renneberg and the towns of Oliva and Zoppot;

Thence the course of the stream mentioned above to the Baltic Sea.

The boundaries described above are drawn on a German map, scale 1/100,000 attached to the present Treaty (Map No. 3).

PARTIAL COPY OF DOCUMENT TC–10

VERSAILLES TREATY, Part V.

MILITARY, NAVAL AND AIR CLAUSES

In order to render possible the initiation of a general limitation of the armaments of all nations, Germany undertakes strictly to observe the military, naval and air clauses which follow:—

SECTION I

MILITARY CLAUSES

CHAPTER 1

EFFECTIVES AND CADRES OF THE GERMAN ARMY.

Article 159

The German military forces shall be demobilized and reduced as prescribed hereinafter.

Article 160

(1) By a date which must not be later than March 31, 1920 the German Army must not comprise more than seven divisions of infantry and three divisions of cavalry.

After that date the total number of effectives in the Army of the States constituting Germany must not exceed one hundred thousand men, including officers and establishments of depots. The Army shall be devoted exclusively to the maintenance of order within the territory and to the control of the frontiers.

The total effective strength of officers, including the personnel of staffs, whatever their composition, must not exceed four thousand.

(2) Divisions and Army Corps headquarters staffs shall be organized in accordance with Table No. 1 annexed to this Section.

The number and strengths of the units of infantry, artillery, engineers, technical services and troops laid down in the aforesaid Table constitute maxima which must not be exceeded.

The following units may each have their own depot:

An Infantry regiment;
A Cavalry regiment;

A regiment of Field Artillery;
A battalion of Pioneers.

(3) The divisions must not be grouped under more than two army corps headquarters staffs.

The maintenance or formation of forces differently grouped or of other organizations for the command of troops or for preparation for war is forbidden.

The Great German General Staff and all similar organizations shall be dissolved and may not be reconstituted in any form.

The officers, or persons in the position of officers, in the Ministries of War in the different States in Germany and in the Administrations attached to them, must not exceed three hundred in number and are included in the maximum strength of four thousand laid down in the third sub-paragraph of paragraph (1) of this Article.

Article 161

Army administrative services consisting of civilian personnel not included in the number of effectives prescribed by the present Treaty will have such personnel reduced in each class to one tenth of that laid down in the Budget of 1913.

The number of gendarmes and employees or officials of the local or municipal police may only be increased to an extent corresponding to the increase of population since 1913 in the districts or municipalities in which they are employed.

These employees and officials may not be assembled for military training.

* * * * * * *

Article 163

The reduction of the strength of the German military forces as provided for in Article 160 may be effected gradually in the following manner:

Within three months from the coming into force of the present Treaty the total number of effectives must be reduced to 200,000 and the number of units must not exceed twice the number of those laid down in Article 160.

At the expiration of this period, and at the end of each subsequent period of three months, a Conference of military experts of the Principal Allied and Associated Powers will fix the reductions to be made in the ensuing three months, so that by March 31, 1920, at the latest the total number of German effectives does not exceed the maximum number of 100,000 men laid down in Article 160. In these successive reductions the same ratio between the number of officers and of men, and between the various kinds of units, shall be maintained as is laid down in that Article.

CHAPTER II
ARMAMENT, MUNITIONS AND MATERIAL.

Article 164

Up till the time at which Germany is admitted as a member of the League of Nations the German Army must not possess an armament greater than the amounts fixed in Table No. 11 annexed to this Section, with the exception of an optional increase not exceeding one-twenty-fifth part for small arms and one-fiftieth part for guns, which shall exclusively be used to provide for such eventual replacements as may be necessary.

Germany agrees that after she has become a member of the League of Nations the armaments fixed in the said Table shall remain in force until they are modified by the Council of the League. Furthermore she hereby agrees strictly to observe the decisions of the Council of the League on this subject.

Article 165

The maximum number of guns, machine guns, trench mortars, rifles and the amount of ammunition and equipment which Germany is allowed to maintain during the period between the coming into force of the present Treaty and the date of March 31, 1920, referred to in Article 160, shall bear the same proportion to the amount authorized in Table No. III annexed to this Section as the strength of the German Army as reduced from time to time in accordance with Article 163 bears to the strength permitted under Article 160.

Article 166

At the date of March 31, 1920, the stock of munitions which the German Army may have at its disposal shall not exceed the amounts fixed in Table No. III annexed to this Section.

Within the same period the German Government will store these stocks at points to be notified to the Governments of the Principal Allied and Associated Powers. The German Government is forbidden to establish any other stocks, depots or reserves of munitions.

Article 167

The number and calibre of the guns constituting at the date of the coming into force of the present Treaty, the armament of the fortified works, fortresses and any land or coast forts which Germany is allowed to retain must be notified immediately by the German Government to the Governments of the Principal Allied and Associated Powers, and will constitute maximum amounts which may not be exceeded.

Within two months from the coming into force of the present Treaty, the maximum stock of ammunition for these guns will be reduced to, and maintained at, the following uniform rates:—fifteen hundred rounds per piece for those the calibre of which is 10.5 cm. and under; five hundred rounds per piece for those of higher calibre.

Article 168

The manufacture of arms, munitions, or any war material, shall only be carried out in factories or works the location of which shall be communicated to and approved by the Governments of the Principal Allied and Associated Powers, and the number of which they retain the right to restrict.

Within three months from the coming into force of the present Treaty, all other establishments for the manufacture, preparation, storage or design of arms, munitions or any war material whatever shall be closed down. The same applies to all arsenals except those used as depots for the authorized stocks of munitions. Within the same period the personnel of these arsenals will be dismissed.

Article 169

Within two months from the coming into force of the present Treaty German arms, munitions and war material, including anti-aircraft material, existing in Germany in excess of the quantities allowed, must be surrendered to the Governments of the Principal Allied and Associated Powers to be destroyed or rendered useless. This will also apply to any special plant intended for the manufacture of military material, except such as may be recognized as necessary for equipping the authorized strength of the German Army.

The surrender in question will be effected at such points in German territory as may be selected by the said Governments.

Within the same period arms, munitions and war material, including anti-aircraft material, of origin other than German in whatever state they may be, will be delivered to the said Governments who will decide as to their disposal.

Arms and munitions which on account of the successive reductions in the strength of the German army become in excess of the amounts authorized by Tables II and III annexed to this Section must be handed over in the manner laid down above within such periods as may be decided by the Conferences referred to in Article 163.

Article 170

Importation into Germany of arms, munitions and war material of every kind shall be strictly prohibited.

The same applies to the manufacture for, and export to, foreign countries of arms, munitions and war material of every kind.

Article 171

The use of asphyxiating, poisonous or other gases and all analogous liquids, materials or devices being prohibited, their manufacture and importation are strictly forbidden in Germany.

The same applies to materials specially intended for the manufacture, storage and use of the said products or devices.

The manufacture and the importation into Germany of armoured cars, tanks and all similar constructions suitable for use in war are also prohibited.

Article 172

Within a period of three months from the coming into force of the present Treaty, the German Government will disclose to the Governments of the Principal Allied and Associated Powers the nature and mode of manufacture of all explosives, toxic substances or other like chemical preparations used by them in the war or prepared by them for the purpose of being so used.

CHAPTER III
RECRUITING AND MILITARY TRAINING

Article 173

Universal compulsory military service shall be abolished in Germany.

The German Army may only be constituted and recruited by means of voluntary enlistment.

Article 174

The period of enlistment for non-commissioned officers and privates must be twelve consecutive years.

The number of men discharged for any reason before expiration of their term of enlistment must not exceed in any year five per cent of the total effectives fixed by the second sub-paragraph of paragraph 1 of Article 160 of the present Treaty.

Article 175

The officers who are retained in the Army must undertake the obligation to serve in it up to the age of forty-five years at least.

Officers newly appointed must undertake to serve on the active list for twenty-five consecutive years at least.

Officers who have previously belonged to any formations whatever of the Army, and who are not retained in the units allowed to be maintained, must not take part in any military exercise whether theoretical or practical, and will not be under any military obligations whatever.

The number of officers discharged for any reason before the expiration of their term of service must not exceed in any year five per cent of the total effectives of officers provided for in the third sub-paragraph of paragraph 1 of Article 160 of the present Treaty.

Article 176

On the expiration of two months from the coming into force of the present Treaty there must only exist in Germany the number of military schools which is absolutely indispensable for the recruitment of the officers of the units allowed. These schools will be exclusively intended for the recruitment of officers of each arm, in the proportion of one school per arm.

The number of students admitted to attend the courses of the said schools will be strictly in proportion to the vacancies to be filled in the cadres of officers. The students and the cadres will be reckoned in the effectives fixed by the second and third sub-paragraphs of paragraph 1 of Article 160 of the present Treaty.

Consequently, and during the period fixed above, all military academies or similar institutions in Germany, as well as the different military schools for officers, student officers (Aspiranten), cadets, non-commissioned officers or student non-commissioned officers (Aspiranten), other than the schools above provided for, will be abolished.

Article 177

Educational establishments, the universities, societies of discharged soldiers, shooting or touring clubs and, generally speaking, associations of every description, whatever the age of their members, must not occupy themselves with any military matters.

In particular they will be forbidden to instruct or exercise their members, or to allow them to be instructed or exercised, in the profession or use of arms.

These Societies, associations, educational establishments and universities must have no connection with the Ministries of War or any other military authority.

Article 178

All measures of mobilization or appertaining to mobilization are forbidden.

In no case must formations, administrative services or General Staffs include supplementary cadres.

Article 179

Germany agrees, from the coming into force of the present Treaty, not to accredit nor to send to any foreign country any military, naval or air mission, nor to allow any such mission to leave her territory, and Germany further agrees to take appropriate measure to prevent German nationals from leaving her territory to become enrolled in the Army, Navy or Air service of any foreign Power, or to be attached to such Army, Navy or Air service for the purpose of assisting in the military, naval or air training thereof, or otherwise for the purpose of giving military, naval or air instruction in any foreign country.

The Allied and Associated Powers agree, so far as they are concerned, from the coming into force of the present Treaty, not to enroll in nor to attach to their armies or naval or air forces any German national for the purpose of assisting in the military training of such armies or naval or air forces, or otherwise to employ any such German national as military, naval or aeronautic instructor.

The present provision does not, however, affect the right of France to recruit for the Foreign Legion in accordance with French military laws and regulations.

CHAPTER IV

FORTIFICATIONS

Article 180

All fortified works, fortresses and field works situated in German territory to the west of a line drawn fifty kilometres to the east of the Rhine shall be disarmed and dismantled.

Within a period of two months from the coming into force of the present Treaty such of the above fortified works, fortresses and field works as are situated in territory not occupied by Allied and Associated troops shall be disarmed and within a further period of four months they shall be dismantled. Those which are situated in territory occupied by Allied and Associated troops shall be disarmed and dismantled within such periods as may be fixed by the Allied High Command.

The construction of any new fortification, whatever its nature and importance is forbidden in the zone referred to in the first paragraph above.

The system of fortified works of the southern and eastern frontiers of Germany shall be maintained in its existing state.

TABLE No. 1.

STATE AND ESTABLISHMENT OF ARMY CORPS HEADQUARTERS STAFFS AND OF INFANTRY AND CAVALRY DIVISIONS

These tabular statements do not form a fixed establishment to be imposed on Germany, but the figures contained in them (number of units and strengths) represent maximum figures, which should not in any case be exceeded.

I.—ARMY CORPS HEADQUARTERS STAFFS.

Unit.	Maximum No. Authorized	Maximum Strengths of each Unit.	
		Officers	N.C.O.'s and men
Army Corps Headquarters Staff	2	30	150
Total for Headquarters Staffs	–	60	300

II.—ESTABLISHMENT OF AN INFANTRY DIVISION.

Unit.	Maximum No. of such Units in a Single Division	Maximum Strengths of each Unit.	
		Officers	N.C.O.'s and men
Headquarters of an infantry division ..	1	25	70
Headquarters of divisional infantry	1	4	30
Headquarters of divisional artillery	1	4	30
Regiment of infantry	3	70	2,300
(Each regiment comprises 3 battalions of infantry. Each battalion comprises 3 companies of infantry and 1 machine gun company)			
Trench mortar company	3	6	150
Divisional squadron	1	6	150
Field artillery regiment	1	85	1,300
(Each regiment comprises 3 groups of artillery. Each group comprises 3 batteries.)			

Unit.	Maximum No. of such Units in a Single Division	Maximum Strengths of each Unit	
		Officers	N.C.O.'s and men
Pioneer battalion	1	12	400
(This battalion comprises 2 companies of pioneers, 1 pontoon detachment, 1 search-light section.)			
Signal detachment	1	12	300
(This detachment comprises 1 telephone detachment, 1 listening section, 1 carrier pigeon section.)			
Divisional medical service	1	20	400
Parks and convoys	–	14	800
Total for infantry division	–	410	10,830

III.—ESTABLISHMENT OF A CAVALRY DIVISION.

Unit.	Maximum No. of such Units in a Single Division	Maximum Strengths of each Unit.	
		Officers	N.C.O.'s and men
Headquarters of a cavalry division	1	15	50
Cavalry regiment	6	40	800
(Each regiment comprises 4 squadrons.)			
Horse artillery group (3 batteries)	1	20	400
Total for cavalry division	–	275	5,250

TABLE No. 2

TABULAR STATEMENT OF ARMAMENT ESTABLISHMENT FOR A MAXIMUM OF 7 INFANTRY DIVISIONS, 3 CAVALRY DIVISIONS, AND 2 ARMY CORPS HEADQUARTERS STAFFS.

Material	Infantry division (1)	For 7 Infantry divisions (2)	Cavalry division (3)	For 3 cavalry divisions (4)	2 Army corps headquarters staffs (5)	Total of Columns 2, 4 and 5 (6)
Rifles	12,000	84,000	–	–	This establishment must be drawn from the increased armaments of the divisional infantry	84,000
Carbines	–	–	6,000	18,000		18,000
Heavy machine guns.	108	756	12	36		792
Light machine guns.	162	1,134	–	–		1,134
Medium trench mortars	9	63	–	–		63
Light trench mortars	27	189	–	–		189
7.7 cm. guns	24	168	12	36		204
10.5 cm. howitzers ..	12	84	–	–		84

TABLE No. 3

MAXIMUM STOCKS AUTHORIZED

Material	Maximum number of arms authorized	Establishment per unit Rounds	Maximum totals Rounds
Rifles	84,000	400	40,800,000
Carbines	18,000		
Heavy machine guns	792	8,000	15,408,000
Light machine guns	1,134		
Medium trench mortars	63	400	25,200
Light trench mortars	189	800	151,200
Field artillery:			
7.7 cm. guns	204	1,000	204,000
10.5 cm. howitzers	84	800	67,200

SECTION II
NAVAL CLAUSES.

Article 181

After the expiration of a period of two months from the coming into force of the present Treaty the German naval forces in commission must not exceed:

6	battleships of the Deutschland or Lothringen type.
6	light cruisers.
12	destroyers.
12	torpedo boats.

or an equal number of ships constructed to replace them as provided in Article 190.

No submarines are to be included.

All other warships, except where there is provision to the contrary in the present Treaty, must be placed in reserve or devoted to commercial purposes.

Article 182

Until the completion of the minesweeping prescribed by Article 193 Germany will keep in commission such number of minesweeping vessels as may be fixed by the Governments of the principal Allied and Associated Powers.

Article 183

After the expiration of a period of two months from the coming into force of the present Treaty the total personnel of the German Navy, including the manning of the fleet, coast defenses, signal stations, administration and other land services, must not exceed fifteen thousand, including officers and men of all grades and corps.

The total strength of officers and warrant officers must not exceed fifteen hundred.

Within two months from the coming into force of the present Treaty the personnel in excess of the above strength shall be demobilized.

No naval or military corps or reserve force in connection with the Navy may be organized in Germany without being included in the above strength.

Article 184

From the date of the coming into force of the present Treaty all the German surface warships which are not in German ports cease to belong to Germany, who renounces all rights over them.

Vessels which, in compliance with the Armistice of November 11, 1918, are now interned in the ports of the Allied and Associated Powers are declared to be finally surrendered.

TC-10

Vessels which are now interned in neutral ports will be there surrendered to the Governments of the Principal Allied and Associated Powers. The German Government must address a notification to that effect to the neutral Powers on the coming into force of the present Treaty.

Article 185

Within a period of two months from the coming into force of the present Treaty the German surface warships enumerated below will be surrendered to the Governments of the Principal Allied and Associated Powers in such Allied ports as the said Powers may direct.

These warships will have been disarmed as provided in Article XXIII of the Armistice of November 11, 1918. Nevertheless they must have all their guns on board.

Battleships.

Oldenburg.
Thuringen.
Ostfriesland.
Helgoland.
Posen.
Westfalen.
Rheinland.
Nassau.

Light Cruisers.

Stettin.
Danzig.
Muenchen.
Luebeck.
Stralsund.
Augsburg.
Kolberg.
Stuttgart.

and, in addition, forty-two modern destroyers and fifty modern torpedo boats, as chosen by the Governments of the Principal Allied and Associated Powers.

Article 186

On the coming into force of the present Treaty the German Government must undertake, under the supervision of the Governments of the Principal Allied and Associated Powers, the breaking-up of all the German surface warships now under construction.

Article 187

The German auxiliary cruisers and fleet auxiliaries below will be disarmed and treated as merchant ships.

Interned in neutral countries:

Berlin.
Santa Fe.
Seydlitz.
Yorck.

TC-10

In Germany:

Ammon.
Answald.
Bosnia.
Cordoba.
Cassel.
Dania.
Rio Negro.
Rio Pardo.
Santa Cruz.
Schwaben.
Solingen.
Steigerwald.
Franken.
Gundomar.
Fuerst Buelow.
Gertrud.
Kigoma.
Rugia.
Santa Elena.
Schleswig.
Moewe.
Sierra Ventana.
Chemnitz.
Emil Georg von St
Habsburg.
Meteor.
Waltraute.
Scharnhorst.

Article 188

On the expiration of one month from the coming into force of the present Treaty all German submarines, submarines salvage vessels and docks for submarines, including the tubular dock, must have been handed over to the Governments of the Principal Allied and Associated Powers.

Such of these submarines, vessels and docks as are considered by the said Governments to be fit to proceed under their own power or to be towed shall be taken by the German Government into such Allied ports as have been indicated.

The remainder, and also those in course of construction, shall be broken up entirely by the German Government under the supervision of the said Governments. The breaking-up must be completed within three months at the most after the coming into force of the present Treaty.

Article 189

Articles, machinery and material arising from the breaking-up of German warships of all kinds, whether surface vessels or submarines, may not be used except for purely industrial or commercial purposes.

They may not be sold or disposed of to foreign countries.

Article 190.

Germany is forbidden to construct or acquire any warships other than those intended to replace the units in commission provided for in Article 181 of the present Treaty.

The warships intended for replacement purposes as above shall not exceed the following displacement:

Armoured ships	10,000 tons
Light cruisers	6,000 tons
Destroyers	800 tons
Torpedo boats	200 tons

Except where a ship has been lost, units of the different classes shall only be replaced at the end of a period of twenty years in the case of battleships and cruisers, and fifteen years in the case of destroyers and torpedo boats, counting from the launching of the ship.

Article 191.

The construction or acquisition of any submarines, even for commercial purposes, shall be forbidden in Germany.

Article 192

The warships in commission of the German fleet must have on board or in reserve only the allowance of arms, munitions and war material fixed by the Principal Allied and Associated Powers.

Within a month from the fixing of the quantities as above, arms, munitions and war material of all kinds, including mines and torpedoes, now in the hands of the German Government and in excess of the said quantities, shall be surrendered to the Governments of the said Powers at places to be indicated by them. Such arms, munitions and war material will be destroyed or rendered useless.

All other stocks, depots or reserves of arms, munitions or naval war material of all kinds are forbidden.

The manufacture of these articles in German territory for, and their export to, foreign countries shall be forbidden.

Article 193

On the coming into force of the present Treaty Germany will forthwith sweep up the mines in the following areas in the North Sea to the eastward of longitude 4° 00′ E. of Greenwich:

(1) Between parallels of latitude 53° 00′ N. and 59° 30′ N.

Germany must keep these areas free from mines.

Germany must also sweep and keep free from mines such areas in the Baltic as may ultimately be notified by the Governments of the Principal Allied and Associated Powers.

Article 194

The personnel of the German Navy shall be recruited entirely by voluntary engagements entered into for a minimum period of twenty-five consecutive years for officers and warrant officers; twelve consecutive years for petty officers and men.

The number engaged to replace those discharged for any reason before the expiration of their term of service must not exceed five per cent. per annum of the totals laid down in this Section (Article 183).

The personnel discharged from the Navy must not receive any kind of naval or military training or undertake any further service in the Navy or Army.

Officers belonging to the German Navy and not demobilized must engage to serve until the age of forty-five, unless discharged for sufficient reasons.

No officer or man of the German mercantile marine shall receive any training in the Navy.

Article 195

In order to ensure free passage into the Baltic to all nations, Germany shall not erect any fortifications in the area comprised between latitudes 55° 27′ N. and 54° 00′ N. and longitudes 9° 00′ E. and 16° 00′ E. of the meridian of Greenwich, nor install any guns commanding the maritime routes between the North Sea and the Baltic. The fortifications now existing in this area shall be demolished and the guns removed under the supervision of the Allied Governments and in periods to be fixed by them.

The German Government shall place at the disposal of the Governments of the Principal Allied and Associated Powers all hydrographical information now in its possession concerning the channels and adjoining waters between the Baltic and the North Sea.

Article 196

All fortified works and fortifications, other than those mentioned in Section XIII (Heligoland) of Part III (Political Clauses for Europe) and in Article 195, now established within fifty kilometers of the German coast or on German islands off that coast shall be considered as of a defensive nature and may remain in their existing condition.

No new fortifications shall be constructed within these limits. The armament of these defences shall not exceed, as regards the number and calibre of guns, those in position at the date of the coming into force of the present Treaty. The German Government shall communicate forthwith particulars thereof to all the European Governments.

On the expiration of a period of two months from the coming into force of the present Treaty the stocks of ammunition for these guns shall be reduced to and maintained at a maximum figure of fifteen hundred rounds per piece for calibres of 4.1 inch and under, and five hundred rounds per piece for higher calibres.

Article 197

During the three months following the coming into force of the present Treaty the German high-power wireless telegraphy stations at Nauen, Hanover and Berlin shall not be used for the transmission of messages concerning naval, military or political questions of interest to Germany or any State which has been allied to Germany in the war, without the assent of the Governments of the Principal Allied and Associated Powers. These stations may be used for commercial purposes, but only under the supervision of the said Governments, who will decide the wave-length to be used.

During the same period Germany shall not build any more high-power wireless telegraphy stations in her own territory or that of Austria, Hungary, Bulgaria or Turkey.

SECTION III

AIR CLAUSES.

Article 198

The armed forces of Germany must not include any military or naval air forces.

Germany may, during a period not extending beyond October 1, 1919, maintain maximum number of one hundred seaplanes or flying boats, which shall be exclusively employed in searching for submarine mines, shall be furnished with the necessary equipment for this purpose, and shall in no case carry arms, munitions or bombs of any nature whatever.

In addition to the engines installed in the seaplanes or flying boats above mentioned, one spare engine may be provided for each engine of each of these craft.

No dirigible shall be kept.

Article 199

Within two months from the coming into force of the present Treaty the personnel of air forces on the rolls of the German land and sea forces shall be demobilized. Up to October 1, 1919, however, Germany may keep and maintain a total number of one thousand men, including officers, for the whole of the cadres and personnel, flying and non-flying, of all formations and establishments.

Article 200

Until the complete evacuation of German territory by the Allied and Associated troops, the aircraft of the Allied and Associated Powers shall enjoy in Germany freedom of passage through the air, freedom of transit and of landing.

Article 201

During the six months following the coming into force of the present Treaty, the manufacture and importation of aircraft, parts of aircraft, engines for aircraft, and parts of engines for aircraft, shall be forbidden in all German territory.

Article 202

On the coming into force of the present Treaty, all military and naval aeronautical material, except the machines mentioned in the second and third paragraphs of Article 198, must be delivered to the Governments of the Principal Allied and Associated Powers.

Delivery must be effected at such places as the said Governments may select, and must be completed within three months.

In particular, this material will include all items under the following heads which are or have been in use or were designed for warlike purposes: Complete aeroplanes and seaplanes, as well as those being manufactured, repaired or assembled.

Dirigibles able to take the air, being manufactured, repaired or assembled.

Plant for the manufacture of hydrogen.

Dirigible sheds and shelters of every kind for aircraft.

Pending their delivery, dirigibles will, at the expense of Germany, be maintained inflated with hydrogen; the plant for the manufacture of hydrogen; as well as the sheds for dirigibles, may, at the discretion of the said Powers be left to Germany until the time when the dirigibles are handed over.

Engines for aircraft.

Nacelles and fuselages.

Armament (guns, machine guns, light machine guns, bomb-dropping apparatus, torpedo-dropping apparatus, synchronization apparatus, aiming apparatus).

Munitions (cartridges, shells, bombs loaded or unloaded, stocks of explosives or of material for their manufacture).

Instruments for use on aircraft.

Wireless apparatus and photographic or cinematograph apparatus for use on aircraft.

Component parts of any of the items under the preceding heads.

The material referred to above shall not be removed without special permission from the said Governments.

TREATY BETWEEN THE UNITED STATES AND GERMANY RESTORING FRIENDLY RELATIONS
25 AUGUST 1921

By the President of the United States of America

A PROCLAMATION

WHEREAS, by a Joint Resolution of Congress, approved March 3, 1921, it was declared that certain Acts of Congress, joint resolutions and proclamations should be construed as if the war between the United States of America and the Imperial German Government had ended, but certain acts of Congress and proclamations issued in pursuance thereof were excepted from the operation of the said resolution;

WHEREAS, by a Joint Resolution of Congress approved July 2, 1921, the state of war which was declared by the Joint Resolution of Congress approved April 6, 1917, to exist between the United States of America and the Imperial German Government was declared at an end;

WHEREAS, a treaty between the United States and Germany was signed at Berlin on August 25, 1921, to restore the friendly relations existing between the two nations prior to the outbreak of war, which treaty is word for word as follows:

The United States of America
and
Germany:

Considering that the United States, acting in conjunction with its co-belligerents, entered into an Armistice with Germany on November 11, 1918, in order that a Treaty of Peace might be concluded;

Considering that the Treaty of Versailles was signed on June 28, 1919, and came into force according to the terms of its Article 440, but has not been ratified by the United States;

Considering that the Congress of the United States passed a Joint Resolution, approved by the President July 2, 1921, which reads in part as follows:

> "RESOLVED BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED, That the state of war declared to exist between the Imperial German Government and the United States of America by the joint resolution of Congress approved April 6, 1917, is hereby declared at an end.
>
> "Sec. 2. That in making this declaration, and as a part of it, there are expressly reserved to the United States of

America and its nationals any and all rights, privileges, indemnities, reparations, or advantages, together with the right to enforce the same, to which it or they have become entitled under the terms of the armistice signed November 11, 1918, or any extensions or modifications thereof; or which were acquired by or are in the possession of the United States of America by reason of its participation in the war or to which its nationals have thereby become rightfully entitled; or which, under the treaty of Versailles, have been stipulated for its or their benefit; or to which it is entitled as one of the principal allied and associated powers; or to which it is entitled by virtue of any Act or Acts of Congress; or otherwise.

* * * * * * *

"Sec. 5. All property of the Imperial German Government, or its successor or successors, and of all German nationals, which was, on April 6, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or of any of its officers, agents, or employees, from any source or by any agency whatsover, and all property of the Imperial and Royal Austro-Hungarian Government, or its successor or successors, and of all Austro-Hungarian nationals which was on December 7, 1917, in or has since that date come into the possession or under control of, or has been the subject of a demand by the United States of America or any of its officers, agents, or employees, from any source or by any agency whatsoever, shall be retained by the United States of America and no disposition thereof made, except as shall have been heretofore or specifically hereafter shall be provided by law until such time as the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively made suitable provision for the satisfaction of all claims against said Governments respectively, of all persons, wheresoever domiciled, who owe permanent allegiance to the United States of America and who have suffered, through the acts of the Imperial German Government, or its agents, or the Imperial and Royal Austro-Hungarian Government, or its agents, since July 31, 1914, loss, damage, or injury to their persons or property, directly or indirectly, whether through the ownership of shares of stock in German, Austro-Hungarian, American,

> or other corporations, or in consequence of hostilities or of any operations of war, or otherwise, and also shall have granted to persons owing permanent allegiance to the United States of America most-favored-nation treatment, whether the same be national or otherwise, in all matters affecting residence, business, profession, trade, navigation, commerce and industrial property rights, and until the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, or their successor or successors, shall have respectively confirmed to the United States of America all fines, forfeitures, penalties, seizures imposed or made by the United States of America during the war, whether in respect to the property of the Imperial German Government or German nationals or the Imperial and Royal Austro-Hungarian Government or Austro-Hungarian nationals, and shall have waived any and all pecuniary claims against the United States of America."

Being desirous of restoring the friendly relations existing between the two Nations prior to the outbreak of war:

Have for that purpose appointed their plenipotentiaries:

THE PRESIDENT OF THE UNITED STATES OF AMERICA

ELLIS LORING DRESEL, Commissioner of the United States of America to Germany,

and

THE PRESIDENT OF THE GERMAN EMPIRE

DR. FRIEDRICH ROSEN, Minister for Foreign Affairs.

Who, having communicated their full powers, found to be in good and due form, have agreed as follows:

ARTICLE I.

Germany undertakes to accord to the United States, and the United States shall have and enjoy, all the rights, privileges, indemnities, reparations or advantages specified in the aforesaid Joint Resolution of the Congress of the United States of July 2, 1921, including all the rights and advantages stipulated for the benefit of the United States in the Treaty of Versailles which the United States shall fully enjoy notwithstanding the fact that such Treaty has not been ratified by the United States.

ARTICLE II.

With a view to defining more particularly the obligations of Germany under the foregoing Article with respect to certain provisions in the Treaty of Versailles, it is understood and agreed between the High Contracting Parties:

(1) That the rights and advantages stipulated in that Treaty for the benefit of the United States, which it is intended the United States shall have and enjoy, are those defined in Section 1, of Part IV, and Parts V, VI, VIII, IX, X, XI, XII, XIV, and XV.

The United States in availing itself of the rights and advantages stipulated in the provisions of that Treaty mentioned in this paragraph will do so in a manner consistent with the rights accorded to Germany under such provisions.

(2) That the United States shall not be bound by the provisions of Part I of that Treaty, nor by any provisions of that Treaty including those mentioned in Paragraph (1) of this Article, which relate to the Covenant of the League of Nations, nor shall the United States be bound by any action taken by the League of Nations, or by the Council or by the Assembly thereof, unless the United States shall expressly give its assent to such action.

(3) That the United States assumes no obligations under or with respect to the provisions of Part II, Part III, Sections 2 to 8 inclusive of Part IV, and Part XIII of that Treaty.

(4) That, while the United States is privileged to participate in the Reparation Commission, according to the terms of Part VIII of that Treaty, and in any other Commission established under the Treaty or under any agreement supplemental thereto, the United States is not bound to participate in any such commission unless it shall elect to do so.

(5) That the periods of time to which reference is made in Article 440 of the Treaty of Versailles shall run, with respect to any act or election on the part of the United States, from the date of the coming into force of the present Treaty.

ARTICLE III.

The present Treaty shall be ratified in accordance with the constitutional forms of the High Contracting Parties and shall take effect immediately on the exchange of ratifications which shall take place as soon as possible at Berlin.

IN WITNESS WHEREOF, the respective plenipotentiaries have signed this Treaty and have hereunto affixed their seals.

Done in duplicate in Berlin this twenty-fifth day of August 1921.

[SEAL.] ELLIS LORING DRESEL
[SEAL.] ROSEN

AND WHEREAS, the said treaty has been duly ratified on both parts, and the ratifications of the two countries were exchanged at Berlin on November 11, 1921;

NOW THEREFORE be it known that I, Warren G. Harding, President of the United States of America, hereby proclaim that the war between the United States and Germany terminated on July 2, 1921, and cause the said treaty to be made public to the end that every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this fourteenth day of November One Thousand Nine Hundred and Twenty-one and of the Independence of the United States of America the One Hundred and Forty-sixth.

[SEAL]

WARREN G. HARDING

By the President:
CHARLES E. HUGHES
Secretary of State.

[RATIFICATION]

WARREN G. HARDING,
President of the United States of America,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

KNOW YE, That whereas a Treaty between the United States of America and Germany to restore the friendly relations existing between the two nations prior to the outbreak of war, was concluded and signed by their respective plenipotentiaries at Berlin on August 25, 1921, the original of which Treaty, in the English and German languages, is hereto annexed:

And Whereas, the Senate of the United States, by their resolution of October 18, 1921, (two-thirds of the Senators present concurring therein) did advise and consent to the ratification of the said Treaty, subject to the understanding, made a part of the resolution of ratification, "that the United States shall not be represented or participate in any body, agency or commission, nor shall any person represent the United States as a member of any body, agency or commission in which the United States is authorized to participate by this Treaty, unless and until an Act of the Congress of the United States shall provide for such representation or participation"; and subject to the further understanding, made a part of the resolution of ratification, "that the rights and advantages which the United States is entitled to have and enjoy under this Treaty embrace the rights and advantages of nationals of the United States specified in the Joint Resolution or in the provisions of the Treaty of Versailles to which this Treaty refers";

NOW, therefore, be it known that I, Warren G. Harding, President of the United States of America, having seen and considered the said Treaty, do hereby, in pursuance of the aforesaid advice and consent of the Senate, ratify and confirm the same and every article and clause thereof, subject to the understanding hereinabove recited.

IN TESTIMONY WHEREOF, I have caused the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington, the twenty-first day of October, in the year of our Lord one thousand nine hundred and twenty-one, and of the Independence of the United States of America the one hundred and forty-sixth.

[SEAL.]

WARREN G. HARDING

By the President:
CHARLES E. HUGHES
Secretary of State.

COPY OF DOCUMENT TC–12

TREATY OF MUTUAL GUARANTEE BETWEEN GERMANY, BELGIUM, FRANCE, GREAT BRITAIN AND ITALY, DONE AT LOCARNO, OCTOBER 16, 1925

[Official text in French. This Treaty was registered with the Secretariat, in accordance with its Article 10, on September 14, 1926, the date of its entry into force.]

The President of the German Reich, His Majesty the King of the Belgians, the President of the French Republic, His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, His Majesty the King of Italy;

Anxious to satisfy the desire for security and protection which animates the peoples upon whom fell the scourge of the war of 1914-18;

Taking note of the abrogation of the treaties for the neutralization of Belgium, and conscious of the necessity of ensuring peace in the area which has so frequently been the scene of European conflicts;

Animated also with the sincere desire of giving to all the signatory Powers concerned supplementary guarantees within the framework of the Covenant of the League of Nations and the treaties in force between them;

Have determined to conclude a treaty with these objects, and have appointed as their Plenipotentiaries:

The President of the German Empire:
Dr. Hans Luther, Chancellor of the Empire;
Dr. Gustav Stresemann, Minister for Foreign Affairs;
His Majesty the King of the Belgians:
M. Emile Vandervelde, Minister for Foreign Affairs;
The President of the French Republic:
M. Aristide Briand, Prime Minister and Minister for Foreign Affairs;
His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:
The Right Honourable Stanley Baldwin, M.P., First Lord of the Treasury and Prime Minister;
The Right Honourable Joseph Austen Chamberlain, M.P., Principal Secretary of State for Foreign Affairs;
His Majesty the King of Italy:
The Honourable Vittorio Scialoja, Senator of the Kingdom;

Who, having communicated their full powers, found in good and due form have agreed as follows:

Article 1

The High Contracting Parties collectively and severally guarantee, in the manner provided in the following Articles, the maintenance of the territorial status quo resulting from the frontiers between Germany and Belgium and between Germany and France, and the inviolability of the said frontiers as fixed by or in pursuance of the Treaty of Peace signed at Versailles on June 28, 1919, and also the observance of the stipulations of Article 42 and 43 of the said Treaty concerning the demilitarized zone.

Article 2

Germany and Belgium, and also Germany and France, mutually undertake that they will in no case attack or invade each other or resort to war against each other.

The stipulation shall not, however, apply in the case of:

(1) The exercise of the right of legitimate defence, that is to say, resistance to a violation of the undertaking contained in the

previous paragraph or to a flagrant breach of Articles 42 or 43 of the said Treaty of Versailles, if such breach constitutes an unprovoked act of aggression and by reason of the assembly of armed forces in the demilitarized zone, immediate action is necessary;

(2) Action in pursuance of Article 16 of the Covenant of the League of Nations;

(3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was first to attack.

Article 3

In view of the undertakings entered into in Article 2 of the present Treaty, Germany and Belgium, and Germany and France, undertake to settle by peaceful means and the manner laid down herein all questions of every kind which may arise between them and which it may not be possible to settle by the normal methods of diplomacy.

Any question with regard to which the parties are in conflict as to their respective rights shall be submitted to judicial decision, and the Parties undertake to comply with such decision.

All other questions shall be submitted to a conciliation commission. If the proposals of this commission are not accepted by the two Parties, the question shall be brought before the Council of the League of Nations, which will deal with it in accordance with Article 15 of the Covenant of the League.

The detailed arrangements for effecting such peaceful settlements are the subject of special Agreements signed this day.

Article 4

(1) If one of the High Contracting Parties alleges that a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles has been or is being committed, it shall bring the question at once before the Council of the League of Nations.

(2) As soon as the Council of the League of Nations is satisfied that such violation or breach has been committed, it will notify its findings without delay to the Powers signatory of the present Treaty, who severally agree that in such case they will each of them come immediately to the assistance of the Power against whom the act complained of is directed.

(3) In case of a flagrant violation of Article 2 of the present Treaty or of a flagrant breach of Articles 42 or 43 of the Treaty of Versailles by one of the High Contracting Parties, each of the other Contracting Parties hereby undertakes immediately to come to the help of the Party against whom such a violation or breach has been directed as soon as the said Power has been able to satisfy itself that this violation constitutes an unprovoked act of aggression and that by reason either of crossing of the frontier or of the outbreak of hostilities or of the assembly of armed forces in the demilitarized zone immediately action is necessary. Nevertheless, the Council of the League of Nations, which will be seized of the question in accordance with the first paragraph of this Article, will issue its findings, and the High Contracting Parties undertake to act in accordance with the recommendations of the Council, provided that they are concurred in by all the members other than the representatives of the Parties which have engaged in hostilities.

Article 5

The provisions of Article 3 of the present Treaty are placed under the guarantee of the High Contracting Parties as provided by the following stipulations:

If one of the Powers referred to in Article 3 refuses to submit a dispute to peaceful settlement or to comply with an arbitral or judicial decision and commits a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles, the provisions of Article 4 of the present Treaty shall apply.

Where one of the Powers referred to in Article 3, without committing a violation of Article 2 of the present Treaty or a breach of Articles 42 or 43 of the Treaty of Versailles, refuses to submit a dispute to peaceful settlement or to comply with an arbitral or judicial decision, the other Party shall bring the matter before the Council of the League of Nations, and the Council shall propose what steps shall be taken; the High Contracting Parties shall comply with these proposals.

Article 6

The provisions of the present Treaty do not affect the rights and obligations of the High Contracting Parties under the Treaty of Versailles or under arrangements supplementary thereto, including the Agreements signed in London on August 30, 1924.

Article 7

The present Treaty, which is designed to ensure the maintenance of peace, and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 8

The present Treaty shall be registered at the League of Nations in accordance with the Covenant of the League. It shall remain in force until the Council, acting on a request of one or other of the High Contracting Parties notified to the other signatory Powers three months in advance, and voting at least by a two-thirds' majority, decides that the League of Nations ensures sufficient protection to the High Contracting Parties; the Treaty shall cease to have effect on the expiration of a period of one year from such decision.

Article 9.

The present Treaty shall impose no obligation upon any of the British dominions, or upon India, unless the Government of such dominion, or of India, signifies its acceptance thereof.

Article 10

The present Treaty shall be ratified and the ratifications shall be deposited at Geneva in the archives of the League of Nations as soon as possible.

It shall enter into force as soon as all the ratifications have been deposited and Germany has become a Member of the League of Nations.

The present Treaty, done in a single copy, will be deposited in the archives of the League of Nations, and the Secretary-General will be requested to transmit certified copies to each of the High Contracting Parties.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno, October 16, 1925.

(L.S.) (Signed) Hans Luther.
(L.S.) (Signed) Gustav Stresemann.
(L.S.) (Signed) Emile Vandervelde.
(L.S.) (Signed) Aristide Briand.

(L.S.) (Signed) Stanley Baldwin.
(L.S.) (Signed) Austen Chamberlain.
(L.S.) (Signed) Vittorio Scialoja.

FINAL PROTOCOL OF THE LOCARNO CONFERENCE

The representatives of the German, Belgian, British, French, Italian, Polish and Czechoslovak Governments, who have met at Locarno from October 5 to 16, 1925, in order to seek by common agreement means for preserving their respective nations from the scourge of war and for providing for the peaceful settlement of disputes of every nature which might eventually arise between them.

Have given their approval to the draft Treaties and Conventions which respectively affect them and which, framed in the course of the present Conference, are mutually interdependent:

Treaty between Germany, Belgium, France, Great Britain and Italy (Annex A).

Arbitration Convention between Germany and Belgium (Annex B).

Arbitration Convention between Germany and France (Annex C).

Arbitration Treaty between Germany and Poland (Annex D).

Arbitration Treaty between Germany and Czechoslovakia (Annex E).

These instruments, hereby initialled ne varietur, will bear today's date, the representatives of the interested Parties agreeing to meet in London on December 1 next, to proceed during the course of a single meeting to the formality of the signature of the instruments which affect them.

The Minister for Foreign Affairs of France states that as a result of the draft arbitration treaties mentioned above, France, Poland and Czechoslovakia have also concluded at Locarno draft agreements in order reciprocally to assure to themselves the benefit of the said treaties. These agreements will be duly deposited at the League of Nations, but M. Briand holds copies forthwith at the disposal of the Powers represented here.

The Secretary of State for Foreign Affairs of Great Britain proposes that, in reply to certain requests for explanations concerning Article 16 of the Covenant of the League of Nations presented by the Chancellor and the Minister for Foreign Affairs of Germany, a letter, of which the draft is similarly attached

(Annex F) should be addressed to them at the same time as the formality of signature of the above-mentioned instruments takes place. This proposal is agreed to.

The representatives of the Governments represented here declare their firm conviction that the entry into force of these treaties and conventions will contribute greatly in bringing about a moral relaxation of the tension between nations, that it will help powerfully towards the solution of many political or economic problems in accordance with the interests and sentiments of peoples, and that, in strengthening peace and security in Europe, it will hasten on effectively the disarmament provided for in Article 8 of the Covenant of the League of Nations.

They undertake to give their sincere co-operation to the work relating to disarmament already undertaken by the League of Nations and to seek the realization thereof in a general agreement.

Done at Locarno, October 16, 1925.

Dr. Luther.
Stresemann.
Emile Vandervelde.
Aristide Briand.
Austen Chamberlain.
Benito Mussolini.
Al. Skrzynski.
Eduard Benes.

COLLECTIVE NOTE TO GERMANY REGARDING ARTICLE 16 OF THE COVENANT OF THE LEAGUE OF NATIONS

London, December 1, 1926.

Your Excellencies,

The German Delegation has requested certain explanations in regard to Article 16 of the Covenant of the League of Nations.

We are not in a position to speak in the name of the League, but in view of the discussions which have already taken place in the Assembly and in the Commissions of the League of Nations, and after the explanations which have been exchanged between ourselves, we do not hesitate to inform you of the interpretation which, in so far as we are concerned, we place upon Article 16.

In accordance with that interpretation, the obligations resulting from the said Article on the Members of the League must be understood to mean that each State Member of the League is bound to co-operate loyally and effectively in support of the Covenant and in resistance to any act of aggression to an extent which is compatible with its military situation and which takes its geographical position into account.

We have the honour, etc.

Emile Vandervelde.
Aristide Briand.
Stanley Baldwin.
Austen Chamberlain.
Vittorio Scialoja.
Alexandre Skrzynski.
Dr. Eduard Benes.

COPY OF DOCUMENT TC-13

ARBITRATION CONVENTION BETWEEN GERMANY AND BELGIUM, DONE AT LOCARNO, OCTOBER 16, 1925

[Official text in French. This Convention was registered with the Secretariat, in accordance with its Article 21, on September 14, 1926, the date of its entry into force.]

The UNDERSIGNED duly authorized,

Charged by their respective Governments to determine the methods by which, as provided in Article 3 of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy, a peaceful solution shall be attained of all questions which cannot be settled amicably between Germany and Belgium,

Have agreed as follows:

Part I

Article I

All disputes of every kind between Germany and Belgium with regard to which the Parties are in conflict as to their respective rights, and which it may not be possible to settle amicably by the normal methods of diplomacy, shall be submitted for decision either to an arbitral tribunal or to the Permanent Court of International Justice, as laid down hereafter. It is agreed that the disputes referred to above include in particular those mentioned in Article 13 of the Covenant of the League of Nations.

This provision does not apply to disputes arising out of events prior to the present Convention and belonging to the past.

Disputes for the settlement of which a special procedure is laid down in other conventions in force between Germany and Belgium shall be settled in conformity with the provisions of those conventions.

Article 2

Before any resort is made to arbitral procedure or to procedure before the Permanent Court of International Justice, the dispute may, by agreement between the Parties, be submitted, with a view to amicable settlement to a permanent international commission styled the Permanent Conciliation Commission, constituted in accordance with the present Convention.

Article 3

In the case of a dispute the occasion of which, according to the municipal law of one of the Parties, falls within the competence of the national courts of such Party, the matter in dispute shall not be submitted to the procedure laid down in the present Convention until a judgment with final effect has been pronounced, within a reasonable time, by the competent national judicial authority.

Article 4

The Permanent Conciliation Commission mentioned in Article 2 shall be composed of five members, who shall be appointed as follows: that is to say; the German Government and the Belgium Government shall each nominate a commissioner chosen from among their respective nationals, and shall appoint by common agreement, the three other commissioners from among the nationals of third Powers; these three commissioners must be of different nationalities, and the German and Belgium Governments shall appoint the president of the commission from among them.

The Commissioners are appointed for three years, and their mandate is renewable. Their appointment shall continue until their replacement and, in any case, until the termination of the work in hand at the moment of the expiry of their mandate.

Vacancies which may occur as a result of death, resignation or any other case shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 5

The Permanent Conciliation Commission shall be constituted within three months from the entry into force of the present Convention.

If the nomination of the commissioners to be appointed by common agreement should not have taken place within the said period, or, in the case of filling a vacancy, within three months from the time when the seat falls vacant, the President of the Swiss Confederation shall, in the absence of other agreement, be requested to make the necessary appointments.

Article 6

The Permanent Conciliation Commission shall be informed by means of a request addressed to the President by the two parties acting in agreement, or, in the absence of such agreement, by one or other of the Parties.

The request, after having given a summary account of the subject of the dispute, shall contain the invitation to the commission to take all necessary measures with a view to arriving at an amicable settlement.

If the request emanates from only one of the Parties, notification thereof shall be made without delay to the other party.

Article 7

Within fifteen days from the date when the German Government or the Belgium Government shall have brought a dispute before the Permanent Conciliation Commission either Party may, for the examination of the particular dispute, replace its commissioner by a person possessing special competence in the matter.

The Party making use of this right shall immediately inform the other Party; the latter shall in that case be entitled to make similar action within fifteen days from the date when the notification reaches it.

Article 8

The task of the Permanent Conciliation Commission shall be to elucidate questions in dispute, to collect with that object all necessary information by means of inquiry or otherwise, and endeavor to bring the Parties to an agreement. It may, after the case has been examined, inform the Parties of the terms of settlement which seems suitable to it, and lay down a period within which they are to make their decision.

At the close of its labours the commission shall draw up a report stating, as the case may be, either that the parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement.

The labours of the commission must, unless the Parties otherwise agree, be terminated within six months from the day on which the commission shall have been notified of the dispute.

Article 9

Failing any special provision to the contrary, the Permanent Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to the enquiries the commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Chapter III (International Commissions of Enquiry) of the Hague Convention, of the 18th October 1907, for the Pacific Settlement of International Disputes.

Article 10

The Permanent Conciliation Commission shall meet, in the absence of agreement by the Parties to the contrary, at a place selected by its President.

Article 11

The labours of the Permanent Conciliation Commission are not public, except when a decision to that effect has been taken by the commission with the consent of the Parties.

Article 12

The Parties shall be represented before the Permanent Conciliation Commission by agents, whose duty it shall be to act as intermediaries between them and the commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose, and request that all persons whose evidence appears to them useful should be heard.

The commission, on its side, shall be entitled to request oral explanations from the agents, counsel and experts, of the two Parties, as well as from all persons it may think useful to summon with the consent of their Government.

Article 13

Unless otherwise provided in the present Convention, the decisions of the Permanent Conciliation Commission shall be taken by a majority.

Article 14

The German and Belgian Governments undertake to facilitate the labours of the Permanent Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory and in accordance with their law to the summoning and hearing of witnesses or experts, and to visit the localities in question.

Article 15

During the labours of the Permanent Conciliation Commission each commissioner shall receive salary, the amount of which shall be fixed by agreement between the German and Belgian Governments, each of which shall contribute an equal share.

Article 16

In the event of no amicable agreement being reached before the Permanent Conciliation Commission the dispute shall be submitted by means of a special agreement either to the Permanent Court of International Justice under the conditions and according to the procedure laid down by its statute or to an arbitral tribunal under the conditions and according to the procedure laid down by the Hague Convention of the 18th October 1907, for the Pacific Settlement of International Disputes.

If the Parties cannot agree on the terms of the special agreement after a month's notice one or other of them may bring the dispute before the Permanent Court of International Justice by means of an application.

Part II

Article 17

All questions on which the German and Belgian Governments may differ without being able to reach an amicable solution by means of the normal methods of diplomacy the settlement of which cannot be attained by means of a judicial decision as provided in Article I of the present Convention, and for the settlement of which no procedure has been laid down by other conventions in force between the Parties, shall be submitted to the Permanent Conciliation Commission, whose duty it shall be to propose to the Parties an acceptable solution and in any case to present a report.

The procedure laid down in Articles 6-15 of the present Convention shall be applicable.

Article 18

If the two parties have not reached an agreement within a month from the termination of the labours of the Permanent Conciliation Commission, the question shall, at the request of either party, be brought before the Council of the League of Nations, which shall deal with it in accordance with Article 15 of the Covenant of the League.

General Provisions

Article 19

In any case, and particularly if the question on which the Parties differ arises out of acts already committed or on the point of commission, the Conciliation Commission or, if the latter has not been notified thereof, the arbitral tribunal or the Permanent Court of International Justice, acting in accordance with Article

41 of its statute, shall lay down within the shortest possible time the provisional measures to be adopted. It shall similarly be the duty of the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The German and Belgian Governments undertake respectively to accept such measures, to abstain from all measures likely to have a repercussion prejudicial to the execution of the decision or to the arrangements proposed by the Conciliation Commission or by the council of the League of Nations, and, in general, to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

Article 20

The present Convention continues applicable as between Germany and Belgium even when other powers are also interested in the dispute.

Article 21

The present Convention shall be ratified. Ratifications shall be deposited at Geneva with the League of Nations at the same time as the ratifications of the Treaty concluded this day between Germany, Belgium, Great Britain, France, and Italy.

It shall enter into and shall remain in force under the same conditions as the said Treaty.

The present Convention, done in a single copy, shall be deposited in the archives of the League of Nations, the Secretary-General of which shall be requested to transmit certified copies to each of the two contracting Governments.

Done at Locarno, October the sixteenth, nineteen hundred and twenty five.

(L.S.) Signed Gustav Stresemann.
(L.S.) Signed Emile Vandervelde.

COPY OF DOCUMENT TC-14

ARBITRATION TREATY BETWEEN GERMANY AND CZECHOSLOVAKIA, DONE AT LOCARNO, OCTOBER 16, 1925

[Official text in French. This Treaty was registered with the Secretariat, in accordance with its Article 22, on September 14, 1926, the date of its entry into force.]

THE PRESIDENT OF THE GERMAN EMPIRE and THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC

Equally resolved to maintain peace between Germany and

Czechoslovakia by assuring the peaceful settlement of differences which might arise between the two countries;

Declaring that respect for the rights established by treaty or resulting from the law of nations is obligatory for international tribunals;

Agreeing to recognize that the rights of a State cannot be modified save with its consent;

And considering that sincere observance of the methods of peaceful settlement of international disputes permits of resolving, without recourse to force, questions which may become the cause of division between States;

Have decided to embody in a treaty their common intentions in this respect, and have named as their plenipotentiaries the following:

THE PRESIDENT OF THE GERMAN EMPIRE:
Dr. Gustav STRESEMANN, Minister for Foreign Affairs;
THE PRESIDENT OF THE CZECHOSLOVAK REPUBLIC:
Dr. Eduard BENES, Minister for Foreign Affairs;

Who, having exchanged their full powers, found in good and due form, are agreed upon the following Articles:

PART I

Article 1

All disputes of every kind between Germany and Czechoslovakia with regard to which the Parties are in conflict as to their respective rights, and which it may not be possible to settle amicably by the normal methods of diplomacy, shall be submitted for decision either to an arbitral tribunal or to the Permanent Court of International Justice, as laid down hereafter. It is agreed that the disputes referred to above include, in particular, those mentioned in Article 13 of the Covenant of the League of Nations.

This provision does not apply to disputes arising out of events prior to the present Treaty and belonging to the past.

Disputes, for the settlement of which a special procedure is laid down in other conventions in force between the High Contracting Parties, shall be settled in conformity with the provisions of those Conventions.

Article 2

Before any resort is made to arbitral procedure or to procedure before the Permanent Court of International Justice, the dispute may, by agreement between the Parties, be submitted, with a view to amicable settlement, to a permanent international commission, styled the Permanent Conciliation Commission, constituted in accordance with the present Treaty.

Article 3

In the case of dispute the occasion of which, according to the municipal law of one of the Parties, falls within the competence of the national courts of such Party, the matter in dispute shall not be submitted to the procedure laid down in the present Treaty until a judgment with final effect has been pronounced, within a reasonable time, by the competent national judicial authority.

Article 4

The Permanent Conciliation Commission mentioned in Article 2, shall be composed of five members, who shall be appointed as follows, that is to say: The High Contracting Parties shall each nominate a commissioner chosen from among their respective nationals, and shall appoint, by common agreement, the three other commissioners from among the nationals of third Powers; those three Commissioners must be of different nationalities, and the High Contracting Parties shall appoint the president of the commission from among them.

The commissioners are appointed for three years and their mandate is renewable. Their appointment shall continue until their replacement, and in any case until the termination of the work in hand at the moment of the expiration of their mandate.

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 5

The Permanent Conciliation Commission shall be constituted within three months from the entry into force of the present Treaty.

If the nomination of the commissions to be appointed by common agreement should not have taken place within the said period, or, in the case of the filling of a vacancy, within three months from the time when the seat falls vacant, the President of the Swiss Confederation shall, in the absence of other agreement, be requested to make the necessary appointments.

Article 6

The Permanent Conciliation Commission shall be informed by means of a request addressed to the president of the two Parties in agreement, or, in the absence of such agreement, by one or other of the Parties.

The request, after having given a summary account of the subject of the dispute, shall contain the invitation to the commission to take all necessary measures with a view to arriving at an amicable settlement.

If the request emanates from only one of the Parties, notification thereof shall be made without delay to the other Party.

Article 7

Within fifteen days from the date when one of the High Contracting Powers shall have brought a dispute before the Permanent Conciliation Commission, either Party may, for the examination of the particular dispute, replace its commissioner by a person possessing special competence in the matter.

The Party making use of this right shall immediately inform the other Party; the latter shall in that case be notified to take similar action within fifteen days from the date when the notification reaches it.

Article 8

The task of the Permanent Conciliation Commission shall be to elucidate questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the Parties to an agreement. It may, after the case has been examined, inform the Parties of the terms of settlement which seem suitable to it, and lay down a period within which they are to make their decision.

At the close of its labours the commission shall draw up a report stating, as the case may be, either that the Parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement.

The labours of the commission must, unless the Parties otherwise agree, be terminated within six months from the day on which the commission shall have been notified of the dispute.

Article 9

Failing any special provision to the contrary, the Permanent Conciliation Commission shall lay down its own procedure, which in any case must provide for both Parties being heard. In regard to enquiries, the commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Chapter III (International Commissions of Enquiry) of The Hague Convention of the 18th October 1907, for the Pacific Settlement of International Disputes.

Article 10

The Permanent Conciliation Commission shall meet in the absence of agreement by the Parties to the contrary at a place selected by its president.

Article 11

The labours of the Permanent Conciliation Commission are not public except when a decision to that effect has been taken by the commission with the consent of the Parties.

Article 12

The Parties shall be represented before the Permanent Conciliation Commission by agents, whose duty it shall be to act as intermediaries between them and the commission; they may moreover be assisted by counsel and experts appointed by them for that purpose, and request that all persons whose evidence appears to them useful should be heard.

The commission on its side shall be entitled to request oral explanation from the agents, counsel and experts of the two Parties, as well as from all persons it may think useful to summon with the consent of their Government.

Article 13

Unless otherwise provided in the present Treaty the decisions of the Permanent Conciliation Commission shall be taken by a majority.

Article 14

The High Contracting Parties undertake to facilitate the labours of the Permanent Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory and in accordance with their law to the summoning and hearing of witnesses or experts, and to visit the localities in question.

Article 15

During the labours of the Permanent Conciliation Comission each commissioner shall receive salary, the amount of which shall be fixed by agreement between the High Contracting Parties, each of which shall contribute an equal share.

Article 16

In the event of no amicable agreement being reached before the Permanent Conciliation Commission the dispute shall be submitted by means of a special agreement either to the Permanent Court of International Justice under the conditions and according to the procedure laid down by its statute or to an arbitral tribunal under the conditions and according to the procedure laid down by The Hague Convention of the 18th October, 1907, for the Pacific Settlement of International Disputes.

If the Parties cannot agree on the terms of the special agreement after a month's notice one or other of them may bring the dispute before the Permanent Court of International Justice by means of an application.

PART II

Article 17

All questions on which the German and Czechoslovak Governments shall differ without being able to reach an amicable solution by means of the normal methods of diplomacy the settlement of which cannot be attained by means of a judicial decision as provided in Article I of the present Treaty, and for the settlement of which no procedure has been laid down by other conventions in force between the Parties, shall be submitted to the Permanent Conciliation Commission, whose duty it shall be to propose to the Parties an acceptable solution and in any case to present a report.

The procedure laid down in Articles 6-15 of the present Treaty shall be applicable.

Article 18

If the two Parties have not reached an agreement within a month from the termination of the labours of the Permanent Conciliation Commission the question shall, at the request of either Party, be brought before the Council of the League of Nations, which shall deal with it in accordance with Article 15 of the Covenant of the League.

GENERAL PROVISIONS

Article 19

In any case, and particularly if the question on which the Parties differ arise out of acts already committed or on the point of commission, the Conciliation Commission or, if the latter has not been notified thereof, the arbitral tribunal or the Permanent Court of International Justice, acting in accordance with Article 41 of its statue, shall lay down within the shortest possible time the provisional measures to be adopted. It shall similarly be the duty of the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The High Contracting Parties undertake, respectively to accept such measures, to abstain from all measures likely to have a repercussion prejudicial to the execution of the decision or to the arrangements proposed by the Conciliation Commission or by the Council of the League of Nations, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

Article 20

The present Treaty continues applicable as between the High Contracting Parties even when other Powers are also interested in the dispute.

Article 21

The present Treaty, which is in conformity with the Covenant of the League of Nations, shall not in any way affect the rights and obligations of the High Contracting Parties as Members of the League of Nations and shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 22

The present Treaty shall be ratified. Ratifications shall be deposited at Geneva with the League of Nations at the same time as the ratifications of the Treaty concluded this day between Germany, Belgium, France, Great Britain and Italy.

It shall enter into and remain in force under the same conditions as the said Treaty.

The present Treaty, done in a single copy shall be deposited in the archives of the League of Nations, the Secretary-General of which shall be requested to transmit certified copies to each of the High Contracting Parties.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno, the sixteenth October, nineteen hundred and twenty-five.

(L. S.) (Signed) GUSTAV STRESEMANN
(L. S.) (Signed) Dr. EDUARD BENES

COPY OF DOCUMENT TC–15

ARBITRATION TREATY BETWEEN GERMANY AND POLAND, DONE AT LOCARNO, OCTOBER 16, 1925

[Official text in French. This Treaty was registered with the Secretariat, in accordance with its Article 22, on September 14, 1926, the date of its entry into force.]

THE PRESIDENT OF THE GERMAN EMPIRE AND THE PRESIDENT OF THE POLISH REPUBLIC;

Equally resolved to maintain peace between Germany and Poland by assuring the peaceful settlement of differences which might arise between the two countries;

Declaring that respect for the rights established by treaty or resulting from the law of nations is obligatory for international tribunals;

Agreeing to recognize that the rights of a State cannot be modified save with its consent;

And considering that sincere observance of the methods of peaceful settlement of international disputes permits of resolving, without recourse to force, questions which may become the cause of division between States;

Have decided to embody in a treaty their common intentions in this respect, and have named as their Plenipotentiaries the following:

THE PRESIDENT OF THE GERMAN EMPIRE:

Dr. Gustav Stresemann, Minister for Foreign Affairs;

THE PRESIDENT OF THE POLISH REPUBLIC:

M. Alexandre Skrzynski, Prime Minister, Minister for Foreign Affairs;

Who, having exchanged their full powers, found in good and due form, are agreed upon the following Articles:

Part I

Article 1

All disputes of every kind between Germany and Poland with regard to which the Parties are in conflict as to their respective rights, and which it may not be possible to settle amicably by the normal methods of diplomacy, shall be submitted for decision either to an arbitral tribunal or to the Permanent Court of International Justice, as laid down hereafter. It is agreed that the disputes referred to above include in particular those mentioned in Article 13 of the Covenant of the League of Nations.

This provision does not apply to disputes arising out of events prior to the present treaty and belonging to the past.

Disputes for the settlement of which a special procedure is laid down in other conventions in force between the High Contracting Parties shall be settled in conformity with the provisions of those conventions.

Article 2

Before any resort is made to arbitral procedure or to procedure before the Permanent Court of International Justice, the dispute may, by agreement between the Parties, be submitted, with a view to amicable settlement, to a permanent international commission, styled the Permanent Conciliation Commission, constituted in accordance with the present Treaty.

Article 3

In the case of a dispute the occasion of which, according to the municipal law of one of the Parties, falls within the competence of the national courts of such Party, the matter in dispute shall not be submitted to the procedure laid down in the present treaty until a judgment with final effect has been pronounced, within a reasonable time, by the competent national judicial authority.

Article 4

The Permanent Conciliation Commission mentioned in Article 2 shall be composed of five members, who shall be appointed as follows, that is to say: the High Contracting Parties shall each nominate a commissioner chosen from among their respective nationals, and shall appoint, by common agreement, the three other commissioners from among the nationals of third Powers; those three commissioners must be of different nationalities, and the High Contracting Parties shall appoint the president of the commission from among them.

The commissioners are appointed for three years, and their mandate is renewable. Their appointment shall continue until their replacement, and in any case until the termination of the work in hand at the moment of the expiry of their mandate.

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 5

The Permanent Conciliation Commission shall be constituted within three months from the entry into force of the present Treaty.

If the nomination of the commissioners to be appointed by common agreement should not have taken place within the said period, or, in the case of the filling of a vacancy, within three months from the time when the seat falls vacant, the President of the Swiss Confederation shall, in the absence of other agreement, be requested to make the necessary appointments.

Article 6

The Permanent Conciliation Commission shall be informed by means of a request addressed to the president by the two Parties acting in agreement, or, in the absence of such agreement, by one or other of the Parties.

The request, after having given a summary account of the subject of the dispute, shall contain the invitation to the commission to take all necessary measures with a view to arriving at an amicable settlement.

If the request emanates from only one of the Parties, notification thereof shall be made without delay to the other Party.

Article 7

Within fifteen days from the date when one of the High Contracting Parties shall have brought a dispute before the Permanent Conciliation Commission, either Party may, for the examination of the particular dispute, replace its commissioner by a person possessing special competence in the matter.

The Party making use of this right shall immediately inform the other Party; the latter shall in that case be entitled to take similar action within fifteen days from the date when the notification reaches it.

Article 8

The task of the Permanent Conciliation Commission shall be to elucidate questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the Parties to an agreement. It may, after the case has been examined, inform the Parties of the terms of settlement which seem suitable to it, and lay down a period within which they are to make their decision.

At the close of its labours the commission shall draw up a report stating, as the case may be, either that the Parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement.

The labours of the commission must, unless the Parties otherwise agree, be terminated within six months from the day on which the commission shall have been notified of the dispute.

Article 9

Failing any special provision to the contrary, the Permanent Conciliation Commission shall lay down its own procedure, which in any case must provide for both Parties being heard. In regard to enquiries, the commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Chapter III (International Commissions of Enquiry) of the Hague Convention of the 18th October 1907, for the Pacific Settlement of International Disputes.

Article 10

The Permanent Conciliation Commission shall meet, in the absence of agreement by the Parties to the contrary, at a place selected by its president.

Article 11

The labours of the Permanent Conciliation Commission are not public except when a decision to that effect has been taken by the commission with the consent of the Parties.

Article 12

The Parties shall be represented before the Permanent Conciliation Commission by agents, whose duty it shall be to act as intermediaries between them and the commission; they may moreover be assisted by counsel and experts appointed by them for that purpose, and request that all persons whose evidence appears to them useful should be heard.

The commission on its side shall be entitled to request oral explanations from the agents, counsel and experts of the two Parties, as well as from all persons it may think useful to summon with the consent of their Government.

Article 13

Unless otherwise provided in the present treaty the decisions of the Permanent Conciliation Commission shall be taken by a majority.

Article 14

The High Contracting Parties undertake to facilitate the labours of the Permanent Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory and in accordance with their law to the summoning and hearing of witnesses or experts, and to visit the localities in question.

Article 15

During the labours of the Permanent Conciliation Commission each commissioner shall receive salary, the amount of which shall be fixed by agreement between the High Contracting Parties, each of which shall contribute an equal share.

Article 16

In the event of no amicable agreement being reached before the Permanent Conciliation Commission the dispute shall be submitted by means of a special agreement either to the Permanent Court of International Justice under the conditions and according to the procedure laid down by its statute or to an arbitral tribunal under the conditions and according to the procedure laid down by the Hague Convention of the 18th October 1907, for the Pacific Settlement of International Disputes.

If the Parties cannot agree on the terms of the special agreement after a month's notice one or other of them may bring the dispute before the Permanent Court of International Justice by means of an application.

Part II

Article 17

All questions on which the German and Polish Governments shall differ without being able to reach an amicable solution by means of the normal methods of diplomacy, the settlement of which cannot be attained by means of a judicial decision as provided in Article 1 of the present Treaty, and for the settlement of which no procedure has been laid down by other conventions in force between the Parties, shall be submitted to the Permanent Conciliation Commission, whose duty it shall be to propose to the Parties an acceptable solution and in any case to present a report.

The procedure laid down in Articles 6-15 of the present Treaty shall be applicable.

Article 18

If the two parties have not reached an agreement within a month from the termination of the labors of the Permanent Conciliation Commission the question shall, at the request of either Party, be brought before the Council of the League of Nations, which shall deal with it in accordance with Article 15 of the Covenant of the League.

GENERAL PROVISIONS

Article 19

In any case, and particularly if the question on which the Parties differ arises out of acts already committed or on the point of commission, the Conciliation Commission or, if the latter has not been notified thereof, the arbitral tribunal or the Permanent Court of International Justice, acting in accordance with Article 41 of its statute, shall lay down within the shortest possible time the provisional measures to be adopted. It shall similarly be the duty of the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The High Contracting Parties undertake respectively to accept such measures, to abstain from all measures likely to have a repercussion prejudicial to the execution of the decision or to the arrangements proposed by the Conciliation Commission or by the Council of the League of Nations, and, in general, to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

Article 20

The present Treaty continues applicable as between the High Contracting Parties even when other Powers are also interested in the dispute.

Article 21

The present Treaty, which is in conformity with the Covenant of the League of Nations, shall not in any way affect the rights and obligations of the High Contracting Parties as Members of the League of Nations and shall not be interpreted as restricting the duty of the League to take whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 22

The present Treaty shall be ratified. Ratifications shall be deposited at Geneva with the League of Nations at the same time as the ratifications of the treaty concluded this day between Germany, Belgium, France, Great Britain and Italy.

It shall enter into and remain in force under the same conditions as the said treaty.

The present Treaty, done in a single copy, shall be deposited in the archives of the League of Nations, the Secretary-General of which shall be requested to transmit certified copies to each of the High Contracting Parties.

In faith whereof the above-mentioned Plenipotentiaries have signed the present Treaty.

Done at Locarno, the sixteenth October, nineteen hundred and twenty-five.

(L.S.) (Signed) Gustav Stresemann.
(L.S.) (Signed) Alexandre Skrzynski.

COPY OF DOCUMENT TC-16

CONVENTION OF ARBITRATION AND CONCILIATION BETWEEN GERMANY AND THE NETHERLANDS. SIGNED AT THE HAGUE, MAY 20, 1926

The Kingdom of the Netherlands and the German Reich, being desirous of promoting the development of the procedure for the pacific settlement of international disputes, have agreed to conclude a General Arbitration and Conciliation Convention, and have for this purpose appointed as their Plenipotentiaries:

HER MAJESTY THE QUEEN OF THE NETHERLANDS:

His Excellency Jonkheer H. A. VAN KARNEBEEK, Minister for Foreign Affairs;

THE PRESIDENT OF THE GERMAN REICH:

Baron H. LUCIUS VON STOEDTEN, Envoy Extraordinary and Minister Plenipotentiary of the German Reich at the Hague,

Who, after having communicated to each other full powers, found in good and due form, have agreed as follows:

Article 1

The Contracting Parties undertake to submit all disputes of any nature whatever which may arise between them, which it has not been possible to settle within a reasonable period by diplomacy, and which have not been referred by mutual agreement to the Permanent Court of International Justice, to be dealt with by arbitration or conciliation, as provided in the present Convention.

Disputes for the solution of which a special procedure has been laid down in other conventions in force between the Contracting Parties shall be settled in accordance with the provisions of such conventions.

Article 2

At the request of one of the Parties, disputes regarding points of law, and especially the following subjects, unless otherwise provided for in Article 3, shall be submitted to arbitration:

(1) The contents, interpretation and application of any treaty concluded between the two parties;

(2) Any question of international law;

(3) The existence of any fact which, if established, would constitute a breach of an international obligation;

(4) The extent and nature of the reparation to be made in the case of a breach of such obligation.

In case of disagreement as to whether the dispute falls under one of the above categories, this prior question shall be referred to arbitration.

Article 3

In regard to questions which, under the National laws of the Party against which a demand has been formulated, are within the competence of judicial authorities, including administrative tribunals, the defendant Party may require that the dispute shall not be submitted to arbitral award until a final decision has been pronounced by these judicial authorities and that the matter shall be brought before this Tribunal not later than six months after the date of such decision. The above provisions shall not apply if justice has been refused and if the matter has been brought before the courts of appeal provided for by law.

In the case of disputes regarding the application of the preceding provision, the Arbitral Tribunal shall decide.

Article 4

The Tribunal shall base its decision on:

(1) The conventions, whether general or particular, in force between the parties, and the principles of law arising therefrom;

(2) International custom as evidence of a general practice accepted as law;

(3) The general principles of law recognized by civilized nations;

(4) The precedents laid down in recognized doctrine and legal practice as an auxiliary factor in the establishment of rules of law.

If both Parties agree, the Tribunal may, instead of basing its decision on legal principles, give an award in accordance with considerations of equity.

Article 5

In the absence of agreement to the contrary between the Parties in each particular case, the Tribunal shall be constituted as follows:

The judges shall be chosen from the list of members of the Permanent Court of Arbitration established by the Hague Convention, dated October 18, 1907, for the Pacific Settlement of International Disputes.

Each Party shall appoint its own arbitrator. The Parties shall jointly nominate three other arbitrators, one of whom shall be the umpire. If, after having been appointed, one of the judges jointly elected acquires the nationality of one of the parties, appoints his domicile in its territory or enters its service, either of the Parties may demand that he be replaced. Any disputes which may arise as to whether any one of these conditions exists shall be settled by the other four judges. The oldest of the judges jointly elected shall take the chair in these cases, and, if the votes are equally divided, he shall give a casting vote.

For each individual dispute there shall be a fresh election of judges. The Contracting Parties, however, reserve the right to act in concert, so that, for a certain class of dispute arising within a fixed period, the same judges shall sit in the Tribunal.

In case of the death of members of the Tribunal, or of their retirement for any reason whatever, they shall be replaced according to the manner determined for their appointment.

Article 6

In each individual case the Contracting Parties shall, in pursuance of the present Treaty, draw up a special agreement [Schiedsordnung], to determine the subject of the dispute, any special terms of reference which may be accorded to the Tribunal, its composition, the place where it shall meet, the amount that each Party concerned shall be obliged to deposit in advance to cover expenses, the rules to be observed with regard to the form and limits of the proceedings, and any other detail that may be considered necessary.

Any disputes arising out of the terms of the special agreement shall subject to the terms of Article 7, be settled by the Arbitral Tribunal.

Article 7

If the special agreement has not been drawn up within a period of six months after one Party concerned has notified the other of its intention to refer the dispute to arbitration, either Party may request the Permanent Board of Conciliation provided for under Article 13, to establish the special agreement. The Permanent Board of Conciliation shall, within two months after having been convened, settle the terms of the special agreement, the subject of the dispute being determined on the basis of the statements submitted by the Parties.

The same procedure shall apply when one Party has not nominated the arbitrator for whose appointment it is responsible, or when the Parties concerned cannot agree upon the choice of the judges to be appointed jointly or of the umpire.

Pending the constitution of the Tribunal, the Permanent Board of Conciliation shall also be competent to decide any other dispute relating to the special agreement.

Article 8

The award of the Tribunal shall be given by a majority vote.

Article 9

The arbitration award shall specify the manner in which it is to be carried out, especially as regards the time-limits to be observed.

If in an arbitration award it is proved that a decision or measure of a Court of Law or other authority of one of the Parties is wholly or in part contrary to international law, and if the constitutional law of that party does not permit, or only partially permits, the consequences of the decision or measure in question to be annulled by administrative measures, the arbitration award shall give the injured Party equitable satisfaction of another kind.

Article 10

Subject to any provision to the contrary in the special agreement, either Party may claim a revision of the award by the Tribunal which gave the award. This demand may only be based on the discovery of a fact, which might have exercised a decisive influence on the award, and which at the time of the close of the proceedings, was unknown to the Tribunal itself and, through no fault of its own, to the Party demanding the revision.

If, for any reason, any members of the Tribunal do not take part in the revision proceedings, substitutes for them shall be appointed in the manner determined for their own appointment.

The limit of time within which the demand provided for in the first paragraph may be presented shall be fixed in the arbitral award, unless it has already been fixed in the special agreement.

Article 11

Any dispute arising between the Parties concerned as to the interpretation and execution of the award shall, in the absence of an agreement to the contrary, be submitted to the Tribunal which pronounced it. In the latter case, the provision contained in Article 10, paragraph 2, shall also apply, *mutatis mutandis.*

Article 12

Any dispute which, under the terms of the present Convention, cannot be referred to arbitration, and cannot, by consent of both Parties, be settled peacefully by any other means shall, at the request of either of the Parties concerned, be submitted to the procedure of conciliation.

If the opposing Party claims that a dispute, for which conciliation procedure has been initiated, should be settled by the Permanent Court of International Justice or by the Arbitration Tribunal or by any other special procedure as provided by Article 1, paragraph 2, the body, whose jurisdiction is claimed, shall first pronounce judgment upon this prior question.

The Governments of the Contracting Parties shall be entitled to agree that a dispute which, under the terms of the present Convention, can be settled by the Permanent Court of International Justice or by an Arbitration Tribunal, shall be submitted to the conciliation procedure, either without appeal or subject to appeal to the Permanent Court of International Justice or to an Arbitration Tribunal.

Article 13

A Permanent Board of Conciliation shall be constituted for the procedure of conciliation.

The Permanent Board of Conciliation shall consist of five members. The Contracting Parties shall each appoint one member of their own choice and shall nominate the three other members by common agreement.

These three members shall not be nationals of the Contracting States, nor be resident in their territory, nor be, nor have been, in their service. The Contracting Parties shall jointly elect the Chairman from among these three members.

Either of the Contracting Parties shall have the right, at any time, unless a procedure is pending or has been proposed by one of the Parties, to recall the member appointed by it and to appoint a successor. Similarly, either Contracting Party shall also be entitled to withdraw its consent to the appointment of each of the three members jointly. In this case a new member must be appointed by joint agreement without delay.

Within two weeks from the date when one of the Contracting Parties has referred a dispute to the Permanent Board of Conciliation, either Party may, for the purpose of this particular dispute, replace its member by a person possessing expert knowledge of the question at issue. The Party exercising this right shall immediately inform the other Party; the latter shall in that case be entitled to take similar action within two weeks after receipt of such notice.

The Permanent Board of Conciliation shall be constituted within the six months following the exchange of the instruments of ratification of the present Convention. Retiring members shall be replaced as soon as possible in the manner laid down for the first election.

If the nomination of the members to be appointed jointly has not taken place within the six months following the exchange of the instruments of ratification, or, in the case of a vacancy on the Permanent Board of Conciliation, within three months of the date on which the vacancy occurred, in the absence of any other agreement, the President of the Swiss Confederation shall be invited to make the necessary appointment.

Article 14

The Permanent Board of Conciliation shall enter upon its duties as soon as a dispute has been referred to it by either of the Parties. Such Party shall communicate its request simultaneously to the Chairman of the Permanent Board of Conciliation and to the other Party. The Chairman shall summon the Permanent Board of Conciliation to meet at the earliest possible moment.

The Contracting Parties undertake in all cases and in all respects to assist the Permanent Board of Conciliation in its work and, in particular, to grant it all legal assistance through the competent authorities. They shall take all necessary measures to enable the Permanent Board of Conciliation to summon and examine witnesses and experts and to proceed to investigations on the spot in their respective territories. The Board may take evidence either *in pleno* or through one or more of the members appointed jointly.

Article 15

The Permanent Board of Conciliation shall determine its own meeting place and shall be at liberty to transfer it.

The Permanent Board of Conciliation shall if need be establish a registry. If it appoints nationals of the Contracting Parties to positions in this office, it shall treat both Parties as on an equal footing.

Article 16

The deliberations of the Permanent Board of Conciliation shall be valid if all members have been duly convoked and if at least the members nominated jointly are present at the meeting.

The decisions of the Permanent Board of Conciliation shall be taken by a majority vote. If the votes are equally divided, the Chairman shall give a casting vote.

Article 17

The Permanent Board of Conciliation shall draw up a report which shall set out the facts of the case, and shall, unless it may seem undesirable in the particular circumstances of the case, contain proposals for the settlement of the dispute.

The report shall be submitted within six months from the date on which the dispute was laid before the Permanent Board of Conciliation, unless the Parties agree to extend this time-limit, or, before the Permanent Board of Conciliation has met, agree to shorten it. In addition, the Permanent Board of Conciliation shall have the right to extend this time-limit once for a period not exceeding six months. The report shall be drawn up in three copies, one of which shall be handed to each of the Parties, and the third preserved in the archives of the Permanent Board of Conciliation.

The report shall not, either as regards statements of fact or as regards legal considerations, have the force of a final judgment binding upon the Parties. When submitting its report, the Permanent Board of Conciliation may call upon the Parties to state within a time-limit to be fixed by the report, whether and, to what extent, they recognize the correctness of the findings in the report and accept the proposals which it contains.

The Parties shall jointly decide whether the report should be published immediately. If they fail to reach an agreement on this point the Permanent Board of Conciliation may have the report published immediately should there be special reasons for so doing.

Article 18

Each Party shall bear the cost of the remuneration of the member of the Permanent Board of Conciliation appointed by itself, and half the cost of the emoluments of the members jointly appointed.

Each Party shall bear the costs for which it is directly responsible in connection with the proceedings and half of the costs which the Permanent Board of Conciliation declares to be common to both Parties.

Article 19

The award pronounced as the result of the procedure of arbitration shall be carried out in good faith by the Parties concerned.

The Contracting Parties shall undertake, during the course of the arbitration or conciliation proceedings, to refrain as far as possible from any action liable to have a prejudicial effect on the execution of the arbitral award or on the acceptance of the proposals of the Permanent Board of Conciliation. In the case of conciliation proceedings, they shall refrain from resorting to forcible measures of any kind until the expiration of the time-limit fixed by the Permanent Board of Conciliation for the acceptance of its proposals, or in the absence of such time-limit, until the report has been presented.

The Arbitral Tribunal may, at the request of either of the Parties, prescribe measures of precaution, provided that such measures can be carried out by the Parties through their administrative machinery; the Permanent Board of Conciliation may also make proposals for the same purpose.

Article 20

Subject to any provisions to the contrary laid down in the present Convention, or the special agreement, the procedure of arbitration and conciliation shall be regulated by the Hague Convention of October 18, 1907, for the Pacific Settlement of International Disputes.

In so far as the present Convention refers to the stipulations of the Hague Convention, the latter shall be applicable to the relations between the Contracting Parties, even if one or both of them denounce the Hague Convention.

In so far as neither the present Convention, nor the special agreement, nor any other conventions in force between the Parties lay down the time-limits and other details connected with the procedure of arbitration or conciliation, the Tribunal or the Permanent Board of Conciliation shall itself be competent to decide as to the necessary provisions.

Article 21

The present Convention shall be ratified as soon as possible. The instruments of ratification shall be exchanged at Berlin.

The Convention shall come into force one month after the exchange of instruments of ratification.

The Convention shall be valid for a period of ten years. If, however, it is not denounced six months before the expiration of this period, it shall remain in force for a further period of five years, and shall be similarly renewed so long as it has not been denounced within the prescribed period.

If a dispute which has been referred to arbitration or conciliation has not been settled when the present Convention expires, the case shall be proceeded with according to the stipulations of the present Convention or of any other Convention which the Contracting Parties may agree to substitute therefor.

In witness whereof, the Plenipotentiaries have signed the present Convention.

Done in duplicate in Dutch and German at The Hague, May 20, 1926.

v. Karnebeek
v. Lucius

FINAL PROTOCOL

of the Convention of Arbitration and Conciliation between the Netherlands and Germany

1. The Contracting Parties are agreed that in doubtful cases the stipulations of the present Convention shall be interpreted in favour of the application of the principle of settlement of disputes by arbitration.

2. The Contracting Parties declare that the Convention shall also apply to disputes arising out of events which occurred prior to its conclusion. In consideration of their general political bearing, an exception shall, however, be made with regard to disputes arising directly out of the world-war.

3. The Convention shall not cease to be applicable for the reason that a third State is concerned in a dispute. The Contracting Parties shall endeavour, if necessary, to induce the third State to agree to refer the dispute to arbitration or conciliation. In this case the two Governments may, if they so desire, jointly provide that the Tribunal or the Permanent Board of Conciliation shall be composed of members specially chosen for the case. If no agreement is reached with the third State as regards its accession within a reasonable period, the case shall proceed in accordance with the provisions of the Convention, but with effect only as regards the Contracting Parties.

4. In the event of Germany adhering to the Permanent Court of International Justice at The Hague, or becoming a member of the League of Nations, legal disputes in respect of which the Parties cannot agree whether they should be referred to the Permanent Court of International Justice or to an Arbitration Tribunal, may, at the request of one Party within one month after the other Party has been notified, be referred directly to the Permanent Court of International Justice. This provision shall also apply, if a general treaty of arbitration containing a corresponding clause should come into force between Germany and a third Power.

THE HAGUE, May 20, 1926

v. KARNEBEEK
v. LUCIUS

COPY OF DOCUMENT TC-17

TREATY OF ARBITRATION AND CONCILIATION BETWEEN GERMANY AND DENMARK.
SIGNED AT BERLIN, JUNE 2, 1926

The German Reich and The Kingdom of Denmark, being desirous of promoting the development of the procedure for the pacific settlement of international disputes, have agreed to conclude a general Treaty of arbitration and conciliation.

For this purpose they have appointed as their Plenipotentiaries:

The President of the German Reich:

Dr. Gustav Stresemann, Reichminister for Foreign Affairs;

His Majesty the King of Denmark and Iceland:

M. Herluf Zahle, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary at Berlin,

Who, having communicated their full powers, found in good and due form, have agreed on the following provisions:

Article 1

The Contracting Parties undertake to submit to the procedure of arbitration or conciliation, in conformity with the present Treaty, all disputes of any nature whatsoever which may arise between Germany and Denmark and which it has not been possible to settle within a reasonable period by diplomacy or to bring, with the consent of both Parties, before the Permanent Court of International Justice.

Disputes for the solution of which a special procedure has been laid down in other conventions in force between the Contracting Parties shall be settled in accordance with the provisions of such conventions.

Article 2

The disputes which, at the request of either of the Parties, shall be submitted to arbitration procedure are those arising between the two Parties with regard to points of law, and particularly with regard to the following subjects:

Firstly, the existence, interpretation and application of any treaty concluded between the two Parties;

Secondly, any question of international law;

Thirdly, the existence of any fact which, if established, would constitute a breach of an international obligation;

Fourthly, the extent and nature of the reparation to be made for any such breach.

In the case of disagreement between the Parties as to whether a dispute falls under one of the above categories, this prior question shall be settled by arbitration.

Article 3

In regard to questions which, under the national laws of the Party against which a demand has been formulated, fall within the competence of the judicial authorities, including the administrative tribunals, such Party may require that the dispute shall not be submitted to arbitration until judgment with final effect has been pronounced by these authorities, and, further, that the matter shall be brought before the arbitration tribunal not later than six months after the date of such decision. The above provisions shall not apply if justice has been refused and if the matter has been brought before the appeal authorities provided for by law.

Disputes between the Parties regarding the application of the preceding provision shall be settled by arbitration.

Article 4

The tribunal shall base its decisions:

Firstly, on general or special Conventions in force between the Parties, and the principles of law arising therefrom;

Secondly, international custom as evidence of a general usage accepted as law;

Thirdly, the general principles of law recognized by civilized nations;

Fourthly, the results of recognized doctrine and legal practice as aids in the establishment of rules of law.

Subject to the consent of the two Parties, the arbitral tribunal may, instead of basing its decision on legal principles, give an award in accordance with considerations of equity.

Article 5

In the absence of agreement to the contrary between the Parties in each particular case, the arbitration tribunal shall be constituted as follows:

The arbitrators shall be chosen from the list of members of the Permanent Court of Arbitration established by The Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

Each Party shall appoint two arbitrators, of whom one only shall be a national of that Party. The Parties shall jointly nominate the fifth arbitrator, who shall also be the President of the tribunal. The President shall not be of the same nationality as any of the other arbitrators. He may not be domiciled within the territory of either Party, and he may not be or have been in the service of either Party.

New arbitrators shall be chosen for each individual dispute. The Contracting Parties, however, reserve the right to concert measures so that for a certain class of dispute the tribunal shall consist of the same arbitrators for a definite period.

Vacancies occurring in the tribunal for any cause whatsoever shall be filled in the manner fixed for the nominations.

Article 6

In each individual case the Contracting Parties shall, in pursuance of the present Treaty, draw up a special agreement (compromise) stating the subject of the dispute, any special powers conferred on the tribunal, its composition, the place where it shall meet, the amount that each Party shall deposit in advance to cover expenses, the rules to be observed in regard to the form and time-limits of the proceedings, and any other details that may be necessary.

Any disputes regarding the terms of the special agreement shall, subject to the provisions of Article 7, be settled by the arbitration tribunal.

Article 7

If the special agreement has not been drawn up by the Parties within a period of six months after one Party has notified the other of its intention to refer the dispute to arbitration, either Party may request the Permanent Board of Conciliation, provided for under Article 13, to draw up the agreement. The Permanent Board of Conciliation shall, within two months after the question has been submitted to it, establish the special agreement, the subject of the dispute being determined on the basis of the statements furnished by the Parties.

The same procedure shall be followed when either of the Parties fails to nominate the arbitrators for whose appointment it is responsible, or when the Parties cannot agree upon the appointment of the President.

Pending the constitution of the arbitration tribunal, the Permanent Board of Conciliation shall also be competent to adjudicate upon any other dispute relating to the special agreement.

Article 8

The decisions of the arbitration tribunal shall be taken by a majority vote. The opinion of any member of a minority of the tribunal who dissents from the award shall, at his request be duly placed on record.

Article 9

The arbitration award shall specify the manner in which it is to be carried out and, in particular, indicate the time-limits to be observed.

If it is established in an arbitration award that a decision or measure of a court of law or other authority of one of the Parties is wholly or partly at variance with international law, and if the constitutional law of that Party does not permit, or only partially permits, of the consequences of the decision or measure in question being annulled by administrative means, the arbitration award shall allow the injured Party equitable satisfaction of another kind.

Article 10

Subject to any provision to the contrary in the special agreement, either Party may submit to the Tribunal which gave the award a request for the revision of the award. This request may only be justified by the discovery of a fact which would have been likely to exercise a decisive influence on the award, and which, at the time of the close of the proceedings, was unknown to the tribunal itself and to the Party demanding the revision, unless the Party in question was at fault in not being aware of it. At the request of either Party, the arbitration tribunal shall first decide whether the above conditions applicable to a request for revision are fulfilled.

Members of the arbitration tribunal who for any reason do not take part in the revision proceedings shall be replaced in the manner fixed for their appointment.

The period within which the request provided for in the first paragraph may be presented shall be fixed in the arbitral award, unless this has already been laid down in the special agreement.

Article 11

Any dispute arising between the Parties as to the interpretation and execution of the arbitral award shall, subject to any agreement to the contrary, be settled by the tribunal which made it. In that case the provision contained in the second paragraph of Article 10 shall apply, mulatis mutandis.

Article 12

Any dispute which under the preceding Articles of the present Treaty cannot be referred to arbitration, and which is not settled amicably in some other manner with the consent of the two Parties, shall, at the request of either of the Parties concerned, be submitted to the procedure of conciliation.

If the opposing Party claims that a dispute for which conciliation procedure has been initiated should be settled by the Permanent Court of International Justice, or by the arbitration tribunal, or by means of a special procedure as provided for in Article 1, second paragraph, the body whose jurisdiction is claimed shall decide this prior question.

The Governments of the Contracting Parties may agree that a dispute which under the terms of the present Treaty can be brought before the Permanent Court of International Justice or an arbitration tribunal shall be submitted to a procedure of conciliation, either without appeal or subject to appeal to the Permanent Court of International Justice or an arbitration tribunal.

Article 13

A Permanent Board of Conciliation shall be constituted for the procedure of conciliation.

The Permanent Board of Conciliation shall consist of five members. Each Contracting Party shall appoint two members, one of whom may be one of its own nationals. The Parties shall jointly nominate the fifth member, who shall be the Chairman. The Chairman shall not be of the same nationality as any other member. He shall not be domiciled within the territory of either Party, nor shall he be or have been in the service of either Party.

The members of the Permanent Board of Conciliation shall be appointed for a period of three years. In the absence of any agreement to the contrary between the Contracting Parties, their appointment should not be revoked during their term of office. Should no successor be appointed to a member of the Board of Conciliation on the expiration of his term of office, that term shall be regarded as renewed for a period of three years. The Chairman shall, however, retire on the expiration of his term of office should either of the Contracting Parties so request. Should the term of office of any member expire while proceedings are still pending, such member shall continue to take part in the examination of the dispute until the termination of the proceedings whether his successor has been appointed or not.

Subject to the stipulations of the second paragraph of the present Article, either Contracting Party may, within fourteen days from the date when a dispute has been referred to the Permanent Board of Conciliation, replace, for the examination of the particular dispute, one of the members whom it has appointed by a person possessing special competence in the matter. The Party making use of this right shall immediately inform the other Party; the latter shall in that case be entitled to take similar action within fourteen days from the date when the notification reaches it.

The Permanent Board of Conciliation shall be constituted in the course of the six months following the exchange of the instruments of ratification of the present Treaty. Retiring members shall be replaced within the shortest possible time in accordance with the procedure laid down for the first election.

Should the Chairman not have been nominated within six months after the exchange of the instruments of ratification, or, in the case of a subsequent election, should a Chairman not have been appointed within three months from the retirement of the previous Chairman, His Majesty the King of Sweden shall, in the absence of any other agreement, be requested to make the necessary appointment.

Article 14

The Permanent Board of Conciliation shall enter upon its duties as soon as a dispute is referred to it by either of the Parties. Such Party shall communicate its request simultaneously to the Chairman of the Permanent Board of Conciliation and to the other Party. The Chairman shall summon the Permanent Board of Conciliation to meet at the earliest possible moment.

The Parties undertake to facilitate, in all circumstances and in every respect, the work of the Permanent Board of Conciliation, and in particular, to afford it all possible legal assistance through their competent authorities. They shall use all the means at their disposal to allow it to take the evidence of witnesses and experts in their respective territories and to visit the localities in question. The Board may obtain evidence either in pleno or through its Chairman.

Article 15

The Permanent Board of Conciliation shall fix its place of meeting and shall be at liberty to change it.

Article 16

The deliberations of the Permanent Board of Conciliation shall be valid if all the members have been duly convened, and if the Chairman and at least one of the members appointed by each Party are present.

Decisions of the Permanent Board of Conciliation shall be taken by a majority vote. If the votes are equally divided the Chairman shall have a casting vote.

Article 17

The Permanent Board of Conciliation shall draw up a report which shall set out the facts of the case and shall, unless it may seem undesirable in the particular circumstances of the case, contain proposals for the settlement of the dispute. In the report the opinion of any member of a minority of the Board who dissents from its conclusions shall, at his request, be duly placed on record.

The report shall be submitted within six months from the date on which the dispute was laid before the Permanent Board of Conciliation, unless the Parties agree to extend, or, before the Permanent Board of Conciliation has met, to shorten this time-limit. The report shall be drawn up in three copies, one of which shall be handed to each of the Parties and the third deposited in the archives of the Permanent Board of Conciliation.

The report shall not, either as regards statements of fact or as regards legal considerations, be in the nature of a final judgment binding upon the Parties. When submitting its report the Permanent Board of Conciliation may call upon the Parties to state, within a time-limit to be fixed in the report, whether, and within what limits, they recognize the correctness of the findings of the report and accept the proposals which it contains.

The Parties shall jointly decide whether the report shall be published immediately. If they fail to reach an agreement on this point, the Permanent Board of Conciliation may cause the report to be published immediately should there be special reasons for so doing.

Article 18

Each Party shall bear the cost of the emoluments due to the members of the Permanent Board of Conciliation appointed by itself and shall bear half the cost of the Chairman's emoluments.

Each Party shall defray the expenses which it has itself incurred in connection with the proceedings and half of the expenses which the Permanent Board of Conciliation declares to be common to both Parties.

Article 19

The award made as a result of the procedure of arbitration shall be carried out in good faith by the Parties concerned.

The Contracting Parties undertake during the course of the arbitration or conciliation proceedings to refrain as far as possible from any action liable to have a prejudicial effect on the execution of the arbitral award or on the acceptance of the proposals made by the Permanent Board of Conciliation.

The arbitration Tribunal may, at the request of either of the Parties, prescribe precautionary measures, provided they can be carried out by the Parties by administrative means. The Permanent Board of Conciliation may also make proposals for the same purpose.

Article 20

Subject to any provisions to the contrary laid down in the present Treaty or in the special agreement, the procedure of arbitration and conciliation shall be regulated by The Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

In so far as the present Treaty refers to the stipulations of The Hague Convention, the latter shall continue to be applicable to the relations between the Contracting Parties, even if one or both of them should have denounced The Hague Convention.

In so far as the present Treaty or the special agreement or any other Conventions in force between the Parties do not lay down the time-limits or other details connected with the procedure of arbitration or conciliation, the arbitration tribunal or the Permanent Board of Conciliation shall itself be competent to decree the necessary provisions.

Article 21

The present Treaty shall be ratified as soon as possible. The instruments of ratification shall be exchanged at Berlin.

The Treaty shall come into force one month after the exchange of the instruments of ratification.

The Treaty shall be valid for a period of ten years. Unless denounced six months before this period expires, it shall remain in force for a further five years, and shall be similarly renewed, so long as it has not been denounced within the prescribed period.

If a dispute which has been referred to the arbitration or conciliation has not been settled when the present Treaty expires, the case shall be proceeded with according to the stipulation of the present Treaty, or of any other agreement which the Contracting Parties may decide to substitute therefor.

In faith whereof the Plenipotentiaries have signed the present Treaty.

Done in duplicate in German and Danish at Berlin, June 2, 1926.

(Signed) HERLUF ZAHLE.
(Signed) STRESEMANN.

FINAL PROTOCOL TO THE GERMAN-DANISH TREATY OF ARBITRATION AND CONCILIATION

1. The Contracting Parties are agreed that in doubtful cases the various stipulations of the present Treaty shall be interpreted in favour of the application of the principle of the settlement of disputes by arbitration.

2. The Contracting Parties declare that the Treaty shall also apply to disputes arising out of events which occurred prior to its conclusion. It shall not, however, apply to disputes with regard to claims for compensation arising out of military measures taken during the world war.

3. The Treaty shall not cease to be applicable if third States are concerned in a dispute. The Contracting Parties shall endeavour, if necessary, to induce the third States to agree to accept

the procedure of arbitration or conciliation. In this case, the two Governments may, if they so desire, arrange by common consent that the Tribunal or the Permanent Board of Conciliation shall be constituted in a special manner. If no agreement is reached with the third States within a reasonable period, the procedure between the Contracting Parties shall take the course prescribed in the Treaty, but shall take effect only as far as they themselves are concerned.

4. In the event of Germany acceding to the Permanent Court of International Justice at The Hague or becoming a Member of the League of Nations, legal disputes in regard to which the two Parties have been unable to agree as to whether the dispute should be brought before the Permanent Court of International Justice at The Hague or be submitted to arbitration may, at the request of either Party, be referred direct to the Permanent Court of International Justice after one month's notice has been given to the other Party. The same stipulation shall apply if a general Treaty of arbitration between Germany and any third Power comes into force containing a similar provision.

Berlin, June 2, 1926.

(Signed) HERLUF ZAHLE.
(Signed) STRESEMANN.

EXCHANGE OF NOTES BETWEEN THE DANISH AND GERMAN GOVERNMENTS ON THE OCCASION OF THE SIGNATURE OF THE TREATY OF ARBITRATION AND CONCILIATION, DATED JUNE 2, 1926, BETWEEN DENMARK AND GERMANY

Royal Danish Legation. Berlin, June 2, 1926.

Your Excellency,

With reference to the signature to-day of the Danish-German Treaty of Arbitration and Conciliation, I am instructed by my Government to inform you as follows:

Should the Parties not have reached an agreement within one month after the Permanent Board of Conciliation has concluded its proceedings, the dispute may be referred by either Party to the Council of the League of Nations, which shall deal with the case as provided in Article XV of the Covenant of the League of Nations.

It is further understood that disputes between Germany and a third State to which Denmark, as a Member of the League of Nations, may be a Party shall not be regarded as disputes between the Contracting Parties within the meaning of the present Treaty. The same stipulation shall apply, as soon as Germany shall have become a Member of the League of Nations, to disputes between Denmark and a third State to which Germany, as a Member of the League of Nations, may be a Party.

I have the honour to be, etc.

(Signed) HERLUF ZAHLE.

Dr. Gustav Stresemann,
Reich Minister for Foreign Affairs,
Berlin.

Ministry of Foreign Affairs.

Berlin, June 2, 1926.

Your Excellency,

In reply to your letter of to-day's date, I have the honour, on behalf of the German Government, to confirm the following declaration with reference to the signing to-day of the German-Danish Treaty of Arbitration and Conciliation;

In the event of Germany becoming a Member of the League of Nations, the provisions of the Treaty regarding the procedure of conciliation shall be supplemented by the following provision:

"Should the Parties not have reached an agreement within one month after the Permanent Board of Conciliation has concluded its proceedings, the dispute may be referred by either Party to the Council of the League of Nations, which shall deal with the case as provided in Article XV of the Covenant of the League of Nations."

It is further understood that disputes between Germany and a third State, to which Denmark, as a Member of the League of Nations, may be a Party, shall not be regarded as disputes between the Contracting Parties within the meaning of the present Treaty. The same stipulation shall apply, as soon as Germany shall have become a Member of the League of Nations, to disputes between Denmark and a third State to which Germany, as a member of the League of Nations, may be a Party.

I have the honour to be, etc.

(Signed) G. STRESEMANN.

His Excellency M. Zahle,
Minister of His Majesty the King of Denmark.

DECLARATION CONCERNING WARS OF AGGRESSION: RESOLUTION OF THE THIRD COMMITTEE LEAGUE OF NATIONS, 24 SEPTEMBER 1927

The President:

Translation: The next item on the agenda is the examination of the Third Committee's Resolution with reference to the declaration concerning wars of aggression (document A. 109. 1927. IX).

(On the invitation of the President, M. Benes, Chairman of the Third Committee, and M. Sokal, Rapporteur, took their places on the platform.)

The President:

Translation: M. Sokal, Rapporteur, will address the assembly.

M. Sokal (Poland), Rapporteur:

Translation: Mr. President, ladies and gentlemen—The draft resolution which I had the honour to submit to the Assembly on September 9th was referred to the Third Committee and was unanimously adopted by the Committee, with acclamation, on September 19th. The Committee has done me the honour of asking me to act as Rapporteur to the Assembly on the subject of this draft resolution, to which it has given its full adherence.

The Committee was of opinion that, at the present juncture, a solemn resolution passed by the Assembly, declaring that wars of aggression must never be employed as a means of settling disputes between States, and that such wars constitute an international crime, would have a salutary effect on public opinion, and would help to create an atmosphere favourable to the League's future work in the matter of security and disarmament.

While recognizing that the draft resolution does not constitute a regular legal instrument , which would be adequate in itself and represent a concrete contribution towards security, the Third Committee unanimously agreed as to its great moral and educative value.

Being convinced that the League's work in the matter of security and disarmament can never prove successful or result in the establishment of a complete system of organized security until all mutual suspicion and fear of aggression are removed, your Committee decided to recommend the adoption of this draft resolution, which testifies to the desire of the States Members of the League to renounce all wars of aggression and is calculated to impress on public opinion a further desire for international conciliation. I have accordingly the honour to ask you to adopt the draft resolution now before you. It reads as follows:

The Assembly,

Recognizing the solidarity which unites the community of nations;

Being inspired by a firm desire for the maintenance of general peace;

Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime;

Considering that a solemn renunciation of all wars of aggression would tend to create an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament:

Declares:

(1) That all wars of aggression are, and shall always be, prohibited.

(2) That every pacific means must be employed to settle disputes of every description, which may arise between States.

The Assembly declares that the States Members of the League are under an obligation to conform to these principles.

The President:

Translation: The Assembly is asked to give an opinion on the draft resolution submitted by M. Sokal on behalf of the Third Committee.

The General Committee of the Assembly, being anxious that the importance of this declaration should be fittingly marked, decided, at its last meeting, that the proper procedure for its adoption would be a vote by roll-call.

Accordingly, if the Assembly agrees, the vote will be taken by roll-call. (Assent).

In conformity with Rule 20, paragraph (a) of the Rules of Procedure, the name of each delegation shall be called and one of its members shall reply from his place in the hall "Yes" if in favour of the declaration, "No" if opposed to it, or "Not voting."

The result of the voting will be recorded and announced to the Assembly.

(The vote was taken.)

The President:

Translation: All the delegations having pronounced in favour of the declaration submitted by the Third Committee, I declare it unanimously adopted.

The resolution was adopted.

THE KELLOGG-BRIAND PACT

[1929 REICHSGESETZBLATT, PART II, NUMBER 9, pages 97-101.]

The President of the German Reich, the President of the United States of America, His Majesty the King of the Belgians, the President of the French Republic, His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Poland, and President of the Czechoslovak Republic,

Deeply sensible of their solemn duty to promote the welfare of mankind;

Persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this Treaty;

Hopeful that, encouraged by their example, all the other nations of the world will join in this humane endeavour and by adhering to the present Treaty as soon as it comes into force bring their peoples within the scope of its beneficient provisions, thus uniting the civilized nations of the world in a common renunciation of war as an instrument of their national policy;

Have decided to conclude a Treaty and for that purpose have appointed as their respective Plenipotentiaries:

The President of the German Reich:
  Dr. Gustav Stresemann, Minister for Foreign Affairs;
The President of the United States of America:
  The Honorable Frank B. Kellogg, Secretary of State;
His Majesty the King of the Belgians:
  Mr. Paul Hymans, Minister for Foreign Affairs, Minister of State;
The President of the French Republic:
  Mr. Aristide Briand, Minister for Foreign Affairs;
His Majesty the King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India:
  For Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations:

The Right Honourable Lord Cushendun, Chancellor of the Duchy of Lancaster, Acting Secretary of State for Foreign Affairs;

For the Dominion of Canada:

The Right Honourable William Lyon Mackenzie King, Prime Minister and Minister for External Affairs;

For the Commonwealth of Australia:

The Honourable Alexander John McLachlan, Member of the Executive Federal Council;

For the Dominion of New Zealand:

The Honourable Sir Christopher James Parr, High Commissioner for New Zealand in Great Britain;

For the Union of South Africa:

The Honourable Jacobus Stephanus Smit, High Commissioner for the Union of South Africa in Great Britain;

For the Irish Free State:

Mr. William Thomas Cosgrave, President of the Executive Council;

For India:

The Right Honourable Lord Cushendun, Chancellor of the Duchy of Lancaster, acting Secretary of State for Foreign Affairs;

His Majesty the King of Italy:

Count Gaetano Manzoni, his Ambassador Extraordinary and Plenipotentiary at Paris.

His Majesty the Emperor of Japan:

Count Uchida, Privy Councillor;

The President of the Republic of Poland:

Mr. A. Zaleski, Minister for Foreign Affairs;

The President of the Czechoslovak Republic:

Dr. Eduard Benes, Minister for Foreign Affairs;

who, having communicated to one another their full powers found in good and due form have agreed upon the following articles.

Article I

The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

Article II

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

Article III

The present Treaty shall be ratified by the High Contracting Parties named in the Preamble in accordance with their respective constitutional requirements, and shall take effect as between them as soon as all their several instruments of ratification shall have been deposited at Washington.

This Treaty shall, when it has come into effect as prescribed in the preceding paragraph, remain open as long as may be necessary for adherence by all the other Powers of the world. Every instrument evidencing the adherence of a Power shall be deposited at Washington and the Treaty shall immediately upon such deposit become effective as between the Power thus adhering and the other Powers parties hereto.

It shall be the duty of the Government of the United States to furnish each Government named in the Preamble and every Government subsequently adhering to this Treaty with a certified copy of the Treaty and of every instrument of ratification or adherence. It shall also be the duty of the Government of the United States telegraphically to notify such Governments immediately upon the deposit with it of each instrument of ratification or adherence.

In faith whereof the respective Plenipotentiaries have signed this Treaty in the French and English languages both texts having equal force, and hereunto affix their seals.

Done at Paris, the twenty-seventh day of August in the year one thousand nine hundred and twenty-eight.

(Seal) Gustav Stresemann
(Seal) Frank B. Kellogg
(Seal) Paul Hymans
(Seal) Ari Briand
(Seal) Cushenden
(Seal) W. L. Mackenzie King
(Seal) A. J. McLachlan
(Seal) C. J. Parr
(Seal) J. S. Smit
(Seal) Liam T. MacCosgair
(Seal) Cushenden
(Seal) G. Manzoni
(Seal) Uchida
(Seal) August Zaleski
(Seal) Dr. Eduard Benes

TREATY OF ARBITRATION AND CONCILIATION, BETWEEN GERMANY AND LUXEMBOURG, SIGNED AT GENEVA, SEPTEMBER 11, 1929

Her Royal Highness the Grand Duchess of Luxembourg and the President of the German Reich.

Being desirous of consolidating and developing the peaceful and friendly relations existing between the two countries and of ensuring the pacific settlement of any disputes which may arise between them,

Have decided to conclude a Treaty of Arbitration and Conciliation and have appointed as their Plenipotentiaries for this purpose:

Her Royal Highness the Grand Duchess of Luxembourg:

M. Joseph Bech, Minister of State, President of the Government;

The President of the German Reich:

Dr. Stresemann, Minister for Foreign Affairs;

Who, having communicated to each other their full powers, found in good and due form, have agreed as follows:

Article 1

The Contracting Parties undertake to settle by peaceful means, as provided in the present Treaty, all disputes of any nature whatever which may arise between them and which it may not be possible to settle by diplomacy.

The present Treaty shall also apply to any dispute arising out of events prior to its conclusion. Nevertheless, disputes relating to events of the World War shall be excluded from the present Treaty.

Disputes for the settlement of which a special procedure is or may hereafter be laid down, in other Conventions in force between the Contracting Parties shall be settled in conformity with the provisions of those Conventions.

Article 2

Any dispute which, according to the municipal law of either Contracting Party, is within the competence of its own courts, shall not be submitted to the procedure provided in the present Treaty until judgment has been rendered within a reasonable time by the competent judicial authorities of the country and has acquired force of law.

Article 3

Any disputes between the Contracting Parties concerning a right, and especially disputes belonging to the categories mentioned in Article 13 of the Covenant of the League of Nations, shall be submitted to the Permanent Court of International Justice.

The Contracting Parties shall submit the dispute to the Permanent Court of International Justice jointly, by means of a special agreement concluded in each individual case. In the event of disagreement, either Party shall be entitled, after giving two months' notice to the other Party, to bring the dispute before the Permanent Court of International Justice direct by means of an application.

Article 4

The Contracting Parties reserve the right of agree, in any individual case, that the dispute in question shall not be submitted to the Permanent Court of International Justice, but to a special Arbitral Tribunal. This decision shall be based on the conclusion of a special arbitration agreement which shall determine the subject of the dispute, any special powers which may be accorded to the Tribunal, its composition and place of meeting, the sum to be deposited by each Party as provision for costs, the rules to be observed in respect of the form and time-limit of the proceedings, and any other details which may be considered necessary.

Any disputes with regard to the interpretation of the arbitration agreement shall be settled by the Arbitral Tribunal.

Article 5

The Permanent Court of International Justice or the Arbitral Tribunal shall base its decision on:

(1) The conventions, whether general or particular, in force between the Parties and the principles of law arising therefrom;

(2) International customs as evidence of a general practice accepted as law;

(3) The general principles of law recognized by civilized nations.

In any case in which the aforementioned legal bases are insufficient, the Arbitral Tribunal shall decide according to the legal principles which, in its opinion, should constitute the rules of international law. It shall follow recognized doctrine and legal practice in the matter.

If both Parties agree, the Tribunal may, instead of basing its decision on legal principles, give an award in accordance with considerations of equity.

Article 6

Before being submitted to the Permanent Court of International Justice, or to any arbitration procedure, the dispute may, by mutual agreement between the Parties, be referred for amicable settlement to a permanent international commission called the "Permanent Conciliation Commission", which shall be constituted in accordance with the present Treaty.

Article 7

The Permanent Conciliation Commission provided for in Article VI shall consist of five members appointed as follows: The Contracting Parties shall each nominate one member from among their respective nationals and shall elect the three remaining members by mutual agreement from among the nationals of other Powers. These three members must be of different nationalities and the Contracting Parties shall appoint the President of the Commission from among them.

The members of the Permanent Conciliation Commission shall be appointed for five years and shall be eligible for re-appointment. They shall retain their functions until they have been replaced, and in any case until the completion of the work in progress at the time of the expiration of their term of office.

Any vacancies which may occur through death, resignation, or any other cause, shall be filled within the shortest possible time according to the procedure laid down for appointment.

Article 8

The Permanent Conciliation Commission shall be constituted within three months after the present Treaty has come into force.

If the nomination of the members to be appointed jointly has not taken place within the said time-limit, or, in case of replacement, within three months from the date on which the vacancy occurs, the President of the Swiss Confederation shall, in the absence of any other agreement, be invited to make the necessary appointments.

Article 9

The Permanent Conciliation Commission shall enter upon its duties on receipt of an application addressed to the President by both Parties in mutual agreement or in the absence of such agreement, by one of the Parties.

The application shall contain a brief statement of the subject of the dispute and a request to the Commission to take all suitable measures with a view to bringing about an amicable settlement.

If one of the Parties submits an application, it shall immediately notify the other Party.

Article 10

Within two weeks from the date when one of the Contracting Parties has referred a dispute to the Permanent Conciliation Commission, either Party may, for the purpose of this particular dispute, replace its member by a person possessing expert knowledge of the question at issue.

The Party exercising this right shall immediately inform the other Party; the latter shall in that case be entitled to take similar action within two weeks after the receipt of such notice.

Article 11

It shall be the task of the Permanent Conciliation Commission to elucidate the question in dispute and to obtain for this purpose all relevant information either by investigation or otherwise, and to endeavor to bring about an amicable settlement between the Parties. The Commission may, after examining the case, communicate to the Parties the conditions of settlement which it deems suitable and request them to submit their observations thereon within a specified time-limit.

On the conclusion of its work the Commission shall draw up a report which shall, according to the circumstances of the case, state either that the parties have come to an agreement and, if necessary, the conditions of such agreement, or that it has not been possible to effect a settlement between the Parties.

The work of the Commission must, unless the Parties agree otherwise, be completed within six months from the date on which the dispute was submitted to it.

Article 12

Unless there is a special agreement to the contrary, the Permanent Conciliation Commission shall lay down its own procedure, which shall in any case provide for both Parties being heard. As regards enquiries, the Commission shall, unless it unanimously decides otherwise, conform to the provisions of Chapter III (International Commissions of Enquiry) of The Hague Convention of October 18, 1907, for the Pacific Settlement of International Disputes.

Article 13

The Permanent Conciliation Commission shall, unless the Parties decide otherwise, meet at the place chosen by its President.

Article 14

The proceedings of the Permanent Conciliation Commission shall not be public unless the Commission so decides with the agreement of the Parties.

Article 15

The parties shall be represented before the Permanent Conciliation Commission by agents, who shall act as intermediaries between them and the Commission; they may also be assisted by counsel and experts whom they shall appoint for the purpose, and may ask that any person whose evidence may seem to them useful, shall be heard.

The Commission shall, for its part, be entitled to obtain verbal explanations from the agents, counsel and experts of both Parties and from any persons whom it may consider useful to summon, with the consent of their respective Governments.

Article 16

The proceedings of the Permanent Conciliation Commission shall be valid if all the members have been duly convened and if at least the members nominated jointly are present.

The decisions of the Permanent Conciliation Commission shall be taken by a majority vote. If the votes are equally divided, the Chairman shall have a casting vote.

Article 17

The Contracting Parties undertake to assist the Permanent Conciliation Commission in its work and, in particular, to furnish it, as far as possible, with all useful documents and information, and to use all the means at their disposal to enable it, in their respective territories and according to their respective laws, to summon and hear witnesses and experts and to proceed to investigations on the spot.

Article 18

For the duration of the work of the Permanent Conciliation Commission each of the members appointed jointly shall receive emoluments, the amount of which shall be fixed by mutual agreement between the Contracting Parties, who shall each contribute one half thereof. The costs arising out of the proceedings of the Commission shall be shared in a similar manner.

Article 19

All disputes other than those mentioned in Article III shall, on the proposal of either Party, be submitted to the Permanent Conciliation Commission according to the procedure laid down in the foregoing Articles.

Article 20

In the case of disagreement with regard to the nature of the dispute, this preliminary question shall, if no other procedure is agreed upon, be submitted to the Permanent Court of International Justice for a summary decision.

Article 21

In all cases, particularly when the dispute between the Parties arises from events which have already taken place or are about to take place, the Permanent Conciliation Commission or the arbitral tribunal or the Permanent Court of International Justice in accordance with Article 41 of its Statute, as the case may be, shall, as soon as possible, give instructions as to what provisional measures shall be taken. The Contracting Parties undertake to observe these instructions and to refrain from any measures which may have effects prejudicial to the decision or to the settlement proposed by the Permanent Conciliation Commission, and in general to avoid any act liable to aggravate or extend the dispute.

Article 22

The present Treaty shall be valid as between the High Contracting Parties even if other Powers are concerned in the dispute.

Article 23

The present Treaty shall be ratified.

It shall come into force on the date of the exchange of the instruments of ratification, which shall take place in Luxemburg. It shall be valid for a period of ten years. If, however, it is not denounced six months before the expiration of this period, it shall remain in force for a further period of five years, and similarly thereafter.

If at the time when the Treaty expires any proceedings in virtue of the present Treaty are pending before the Permanent Conciliation Commission, the Permanent Court of International Justice or an arbitral tribunal, the Treaty shall remain in force in respect of the dispute in question, until a definite settlement has been reached.

In faith whereof the Plenipotentiaries have signed the present Treaty.

Done in duplicate at Geneva, in German, September 11, 1929.

(signed) BECH.
(signed) STRESEMANN.

PROTOCOL

The following provision has been decided upon with regard to the interpretation of Article I paragraph 2 of the Treaty of

Arbitration and Conciliation signed this day between the Grand Duchy of Luxemburg and the German Reich.

The Disputes referred to in the second sentence of paragraph 2 of Article I as disputes to which the present Treaty shall not apply shall include all mutual claims relating to railways (final paragraph of the Additional Protocol of August 22, 1927, to the Protocol of October 30, 1925).

GENEVA, September 11, 1929.

(signed) BECH.
(signed) STRESEMANN.

TRANSLATION OF DOCUMENT TC-21

GERMAN-POLISH DECLARATION, JANUARY 26th, 1934

[Department of State, Central Translating Division]

Declaration

The German Government and the Polish Government consider that the time has come to introduce a new era in the political relations between Germany and Poland, by a direct understanding between the States. They have therefore decided to establish by the present declaration a basis for the future shaping of those relations.

The two Governments assume that the maintenance and assurance of a permanent peace between their countries is an essential condition for general peace in Europe. They have therefore decided to base their mutual relations on the principles contained in the Pact of Paris of August 17, 1928, and they wish to define the application of these principles more exactly, in so far as the relations between Germany and Poland are concerned.

At the same time, each of the two Governments declares that the international obligations already undertaken by it toward other parties do not impede the peaceful development of their mutual relations, do not contradict the present declaration, and are not affected by this declaration. They further declare that this declaration does not extend to such questions as under international law are to be considered exclusively as domestic affairs of one of the two States.

The two Governments declare their intention of reaching an agreement directly on questions affecting their mutual relations, of whatever kind they may be. Should any dispute arise between them and should it not be possible to reach an agreement thereon by direct negotiations, in each individual case they will seek a settlement through other peaceful means, on the basis of mutual agreement, without prejudice to the possibility of applying those methods of procedure, in case of necessity, which are provided for such a case in the other agreements between them that are in force. Under no circumstances, however, will they proceed to use force for the purpose of settling such disputes.

The guarantee of peace created by these principles will make easier for the two Governments the great task of finding for problems of political, economic and cultural nature solutions based on a just and fair reconciliation of the interests of both parties.

The two Governments are convinced that in this way the relations between their countries will develop fruitfully and will lead to the establishment of good neighbourly relations, which will provide blessings not only for their two countries, but also for the other nations of Europe.

The present declaration is to be ratified and the instruments of ratification exchanged at Warsaw as soon as possible. The declaration shall remain in effect for a period of 10 years, counting from the day of the exchange of instruments of ratification. In case it is not denounced by one of the two Governments 6 months before the expiration of that period of time, it shall continue in effect, but can then be denounced by either Government, at any time, 6 months in advance.

Prepared in two originals in the German and the Polish languages.

Berlin, January 26, 1934.

For the German Government:
C. Freiherr von Neurath

For the Polish Government:
Josef Lipski

TRANSLATION OF DOCUMENT TC–22

AGREEMENT BETWEEN THE GERMAN GOVERNMENT AND THE GOVERNMENT OF THE FEDERAL STATE OF AUSTRIA, JULY 11TH, 1936

[Translation of Official Communique broadcast from Vienna on July 11th, 1936.]

It is officially announced: In the conviction that they are making a valuable contribution towards the whole European development in the direction of maintaining peace and in the belief that they are thereby best serving the manifold mutual interests of both German States, the Governments of the Federal States of Austria and of Germany have resolved to give their relations once more a normal and friendly form. In this connection it is declared:—

1. The German Government recognizes the full sovereignty of the Federal State of Austria in the sense of the pronouncements of the German Leader and Chancellor of the 21st May, 1935.

2. Each of the two Governments regards the inner political order (including the question of Austrian national socialism) obtaining in the other country as an internal affair of the other country, upon which it will exercise neither direct nor indirect influence.

3. The Austrian Federal Government will conduct its policy in general and in particular towards Germany always on that fundamental line corresponding to the fact that Austria regards herself as a German State.

In this respect neither the Rome protocols of 1934 and their additions of 1936, nor the relationship of Austria to Italy and Hungary as partners in these protocols, are affected. Considering that the *detente* desired by both sides can only become really effectual if certain preliminary stipulations on the part of the Governments of both countries are carried out, the Austrian Federal Government and the German Government will pass a number of particular measures to bring about the requisite preliminary state of affairs.

COPY OF DOCUMENT TC–23

Extract from Statement made by the Prime Minister to the House of Commons on September 28 announcing the Reichschancellor's reply to the Message which he had sent to him that morning.

"I have something further to say to the House yet. I have now been informed by Herr Hitler that he invites me to meet him at Munich tomorrow morning. He has also invited Signor Mussolini and M. Daladier. Signor Mussolini has accepted, and I have no doubt M. Daladier will also accept. I need not say what my answer will be."

AGREEMENT CONCLUDED AT MUNICH ON SEPTEMBER 29, 1938

Germany, the United Kingdom, France and Italy, taking into consideration the agreement, which has been already reached in principle for the cession to Germany of the Sudeten German territory, have agreed on the following terms and conditions governing the said cession and the measures consequent thereon, and by this agreement they each hold themselves responsible for the steps necessary to secure fulfillment:

1. The evacuation will begin on the 1st October.

2. The United Kingdom, France and Italy agree that the evacuation of the territory shall be completed by the 10th October, without any existing installations having been destroyed and that the Czechoslovak Government will be held responsible for carrying out the evacuation without damage to the said installations.

3. The conditions governing the evacuation will be laid down in detail by an international commission composed of representatives of Germany, the United Kingdom, France, Italy and Czechoslovakia.

4. The occupation by stages of the predominantly German territory by German troops will begin on 1st October. The four territories marked on the attached map will be occupied by German troops in the following order: The territory marked No. 1 on the 1st and 2nd of October, the territory marked No. II on the 2nd and 3rd of October, the territory marked No. III on the 3rd, 4th and 5th of October, the territory marked No. IV on the 6th and 7th of October. The remaining territory of preponderantly German character will be ascertained by the aforesaid international commission forthwith and be occupied by German troops by the 10th of October.

5. The international commission referred to in paragraph 3 will determine the territories in which a plebiscite is to be held. These territories will be occupied by international bodies until the plebiscite has been completed. The same commission will fix the conditions in which the plebiscite is to be held, taking as a basis the conditions of the Saar plebiscite. The commission will also fix a date, not later than the end of November, on which the plebiscite will be held.

6. The final determination of the frontiers will be carried out by the international commission. This commission will also be entitled to recommend to the four Powers, Germany, the United Kingdom, France and Italy, in certain exceptional cases minor modifications in the strictly ethnographical determination of the zones which are to be transferred without plebiscite.

7. There will be a right of option into and out of the transferred territories, the option to be exercised within six months from the date of this agreement. A German-Czechoslovak commission shall determine the details of the option, consider ways of facilitating the transfer of population and settle questions of principle arising out of the said transfer.

8. The Czechoslovak Government will within a period of four weeks from the date of this agreement release from their military and police forces any Sudeten Germans who may wish to be released, and the Czechoslovak Government will within the same period release Sudeten German prisoners who are serving terms of imprisonment for political offences.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DALADIER.
BENITO MUSSOLINI.

Munich, September 29,1938.

Annex to the Agreement

His Majesty's Government in the United Kingdom and the French Government have entered into the above agreement on the basis that they stand by the offer, contained in paragraph 6 of the Anglo-French proposals of the 19th September, relating to an international guarantee of the new boundaries of the Czechoslovak State against unprovoked aggression.

When the question of the Polish and Hungarian minorities in Czechoslovakia has been settled, Germany and Italy for their part will give a guarantee to Czechoslovakia.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DALADIER.
BENITO MUSSOLINI.

Munich, September 29, 1938.

Declaration

The Heads of the Governments of the four Powers declare that the problems of the Polish and Hungarian minorities in Czechoslovakia, if not settled within three months by agreement between the respective Governments, shall form the subject of another meeting of the Heads of the Governments of the four Powers here present.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DALADIER.
BENITO MUSSOLINI.

Munich, September 29, 1938.

Supplementary Declaration

All questions which may arise out of the transfer of the territory shall be considered as coming within the terms of reference to the international commission.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DALADIER.
BENITO MUSSOLINI.

Munich, September 29, 1938.

Composition of the International Commission

The four Heads of Government here present agree that the international commission provided for in the agreement signed by them to-day, shall consist of the Secretary of State in the German Foreign Office, the British, French and Italian Ambassadors accredited in Berlin, and a representative to be nominated by the Government of Czechoslovakia.

ADOLF HITLER.
NEVILLE CHAMBERLAIN.
EDOUARD DALADIER.
BENITO MUSSOLINI.

Munich, September 29, 1938.

COPY OF DOCUMENT TC-24

TREATY OF NON-AGGRESSION BETWEEN THE GERMAN REICH AND THE KINGDOM OF DENMARK SIGNED AT BERLIN, MAY 31st 1939.

His Majesty the King of Denmark and Iceland and the Chancellor of the German Reich,

Being firmly resolved to maintain peace between Denmark and Germany in all circumstances, have agreed to confirm this resolve by means of a Treaty and have appointed as their Plenipotentiaries:

His Majesty the King of Denmark and Iceland:

M. Herluf Zahle, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary in Berlin;

The Chancellor of the German Reich:

M. Joachim von Ribbentrop, Minister for Foreign Affairs of the Reich;

Who, having exchanged their full powers, found in good and due form, have agreed on the following provisions:

Article 1

The Kingdom of Denmark and the German Reich shall in no case resort to war or to any other use of force one against the other.

Should action of the kind referred to in paragraph 1 be taken by a third Power against one of the Contracting Parties, the other Contracting Party shall not support such action in any way.

Article 2

The present Treaty shall be ratified and the instruments of ratification shall be exchanged as soon as possible in Berlin.

The Treaty shall come into force on the exchange of the instruments of ratification and shall remain in force for a period of ten years from that date. Should the Treaty not be denounced by one of the Contracting Parties at least one year before the expiry of that period, its validity shall be extended for a fresh period of ten years. The same shall apply to subsequent periods.

In witness whereof the Plenipotentiaries of both Parties have signed the present Treaty.

Done in original duplicate, in Danish and German.

BERLIN, May 31st, 1939.

HERLUF ZAHLE.
JOACHIM V. RIBBENTROP.

PROTOCOL OF SIGNATURE

On the signature, this day, of the Dano-German Treaty, the agreement existing between the two Parties on the following point has been put on record:

The Contracting Party which is not participating in the conflict shall not be deemed to be giving support, within the meaning of paragraph 2 of Article 1 of the Treaty, if the attitude of that Party is in harmony with the general rules of neutrality. Therefore the fact of a normal exchange of goods and transit of goods continuing between the Contracting Party not involved in the conflict and the third Power shall not be regarded as constituting illicit support.

BERLIN, May 31st, 1939.

HERLUF ZAHLE.
JOACHIM V. RIBBENTROP.

ANNOUNCEMENT RELATING TO THE GERMAN-SOVIET NON-AGGRESSION TREATY SEPTEMBER 25, 1939.

[Enclosure No. 2 to despatch No. 1511 dated October 20, 1939, from the American Embassy, Berlin, Germany.]

On August 23, 1939, a non-aggression treaty was signed in Moscow by representatives of the German Reich and the Union of Soviet Socialist Republics. The treaty is published herewith.

The exchange of the documents of ratification took place in Berlin on September 24, 1939. The treaty became effective on August 23, 1939 in accordance with its Article VII.
Berlin, September 25, 1939.

The Reich Minister of Foreign Affairs
By Baron von Weizsaecker

Non-Aggression Treaty between Germany and the Union of Soviet Socialist Republics

The Government of the German Reich

and

The Government of the Union
of Soviet Socialist Republics

directed by the wish to strengthen the cause of peace between Germany and the USSR and proceeding upon the basic provisions of the Treaty of Neutrality concluded between Germany and the USSR in April 1926, have reached the following agreement:

Article 1

The two contracting parties undertake to refrain from any act of violence, any aggressive action, or any attack against one another, whether individually or jointly with other powers.

Article 2

In case one of the contracting parties should become the object of war-like acts on the part of a third power, the other contracting party will not support that third power in any form.

Article 3

The Governments of the two contracting parties will in future remain in contact with each other through continuous consultation in order to inform each other concerning questions affecting their mutual interests.

Article 4

Neither of the two contracting parties will participate in any grouping of powers which is indirectly or directly aimed against the other party.

Article 5

Should disputes or conflicts arise between the contracting parties regarding questions of any kind whatsoever, the two parties would clear away these disputes or conflicts solely by means of friendly exchanges of views or if necessary by arbitration commissions.

Article 6

The present treaty is concluded for a period of ten years with the provision that unless one of the contracting parties denounces it one year before the end of this period the duration of the validity of this treaty is to be regarded as automatically prolonged for another five years.

Article 7

The present treaty is to be ratified within the shortest possible time. The documents of ratification are to be exchanged in Berlin. The treaty becomes effective immediately upon signature.

Drawn up in duplicate texts in the German and Russian languages.

Moscow, August 23, 1939.

For the Government of the German Reich
von Ribbentrop
As Plenipotentiary for the Government of the USSR
s.Molotov

TRANSLATION OF DOCUMENT TC-26

GERMAN ASSURANCE TO AUSTRIA, MAY 21st, 1935

[Documents of German Politics (Dokumente der deutschen Politik) Part III, Page 94.]

Germany neither intends nor wishes to interfere in the domestic affairs of Austria, to annex Austria or to attach that country to her. The German people and the German Government have, however, the very comprehensible desire, arising out of the simple feeling of solidarity due to a common national descent, that the right to self-determination should be guaranteed not only to foreign nations, but to the German people everywhere.

I myself believe that no regime which is not anchored in the people, supported by the people, and desired by the people, can exist permanently.

GERMAN ASSURANCES TO CZECHOSLOVAKIA, 11 and 12 March 1938, as reported by M. Masaryk, the Czechoslovak Minister to London, to Viscount Halifax. [From files of the British Foreign office]

M. Masaryk to Viscount Halifax.—(Received March 12.*)*

My Lord, *London, March* 12, 1938.

I have reported to my Government the interview which you were good enough to grant me to-day.

I have in consequence been instructed by my Government to bring to the official knowledge of His Majesty's Government the following facts: Yesterday evening (the 11th March) Field-Marshal Goering made two separate statements to M. Mastny, the Czechoslovak Minister in Berlin, assuring him that the developments in Austria will in no way have any detrimental influence on the relations between the German Reich and Czechoslovakia, and emphazising the continued earnest endeavour on the part of Germany to improve those mutual relations.

In the first statement the field-marshal used the expression: "Ich gebe Ihnen mein Ehrenwort."

In the second statement Field-Marshal Goering asserted that, having given his own word previously, he was now able to give the word of the head of the State, who had authorized him to take over temporarily his official duties. He then repeated the above assurances.

To-day (the 12th March) Field-Marshal Goering asked M. Mastny to call on him, repeated yesterday's assurances and added that the German troops, marching into Austria, have strictest orders to keep at least 15 kilom. from the Czechoslovak frontier; at the same time he expressed the hope that no mobilization of the Czechoslovak army would take place.

M. Mastny was in a position to give him definite and binding assurances on this subject, and to-day spoke with Baron von Neurath, who, among other things, assured him on behalf of Herr Hitler that Germany still considers herself bound by the German-Czechoslovak Arbitration Convention concluded at Locarno in October 1925.

M. Mastny also saw to-day Herr von Mackensen, who assured him that the clarification of the Austrian situation will tend to improve German-Czechoslovak relations.

The Government of the Czechoslovak Republic wish to assure His Majesty's Government that they are animated by the earnest and ardent desire to live in the best possible neighbourly relations with the German Reich. They cannot, however, fail to view with great apprehension the sequel of events in Austria between the date of the bilateral agreement between Germany and Austria (11th July, 1936), and yesterday (11th March, 1938).

I have, &c.
JAN MASARYK.

TRANSLATION OF DOCUMENT TC-28

GERMAN ASSURANCE TO CZECHOSLOVAKIA OF 26TH SEPTEMBER 1938

[Documents of German Politics (Dokumente der deutschen Politik) Part VI, Pages 345–346.]

I have a little to explain. I am grateful to Mr. Chamberlain for all his efforts, and I have assured him that the German people want nothing but peace; but I have also told him that I cannot go back beyond the limits of our patience.

I assured him moreover, and I repeat it here, that when this problem is solved there will be no more territorial problems for Germany in Europe. And I further assured him that from the moment when Czechoslovakia solves its other problems, that is to say when the Czechs have come to an agreement with their other minorities peacefully and without oppression, I will no longer be interested in the Czech State. And that, as far as I am concerned, I will guarantee it. We don't want any Czechs! But I must also declare before the German people that in the Sudeten German problem my patience is now at an end. I made an offer to Herr Benes which was no more than the realization of what he had already promised. He now has peace or war in his hands. Either he will accept this offer and at length give the Germans their freedom, or we will get this freedom for ourselves.

TRANSLATION OF DOCUMENT TC-29

GERMAN ASSURANCE TO POLAND, SEPTEMBER 26TH, 1938

[Documents of German Politics (Dokumente der deutschen Politik) Part VI, Page 336.]

The most difficult problem with which I was confronted was that of our relations with Poland. There was a danger that Poles and Germans would regard each other as hereditary enemies. I wanted to prevent this. I know well enough that I should not have been successful if Poland had had a democratic Constitution. For these democracies which indulge in phrases about peace are the most bloodthirsty war agitators. In Poland there ruled no democracy but a man; and with him I succeeded in precisely twelve months, in coming to an agreement which, for ten years in the first instance, entirely removed the danger of a conflict. We are all convinced that this agreement will bring lasting pacification. We realize that here are two peoples which must live together and neither of which can do away with the other. A people of 33 millions will always strive for an outlet to the sea. A way for understanding, then, had to be found; it has been found, and it will be ever further extended. Certainly things were hard in this area. * * * But the main fact is that the two Governments, and all reasonable and clear-sighted persons among the two peoples and in the two countries, possess the firm will and determination to improve their relations. It was a real work of peace, of more worth than all the chattering in the League of Nations Palace at Geneva.

I have attempted during this period gradually to bring about better and lasting relations with other nations as well. We have given guarantees for the States in the West. We have assured all our immediate neighbours of the integrity of their territory as far as Germany is concerned. That is no mere phrase. It is our sacred will. We have no interest whatever in a breach of the peace. We want nothing from these peoples. These offers of ours met with growing understanding. One by one the peoples are freeing themselves from the crass blindness of Geneva, which I would call a policy, not of the collective obligation for peace, but of the collective obligation for war. They are freeing themselves and beginning to see problems soberly; they are ready for understanding and desirous of peace.

TRANSLATION OF DOCUMENT TC-30

GERMAN ASSURANCE TO DENMARK, NORWAY, BELGIUM AND THE NETHERLANDS, APRIL 28th, 1939

[Documents of German Politics (Dokumente der deutschen Politik) Part VII, I Pages 139, 172–175.]

"I have given binding declarations to a large number of States. None of these States can complain that even a trace of a demand contrary thereto has ever been made to them by Germany. None of the Scandinavian statesmen, for example, can contend that a request has ever been put to them by the German Government or by German public opinion which was incompatible with the sovereignty and integrity of their State.

"I was pleased that a number of European States availed themselves of these declarations by the German Government to express and emphasize their desire too for absolute neutrality. This applies to Holland, Belgium, Switzerland, Denmark, etc. I have already mentioned France. I need not mention Italy, with whom we are united in the deepest and closest friendship, Hungary and Yugoslavia, with whom we as neighbours have the fortune to be on very friendly terms. On the other hand I have left no doubt from the first moment of my political activity that there existed other circumstances which represent such a mean and gross outrage of the right of self-determination of our people that we can never accept or endorse them. I have never written a single line or made a single speech displaying a different attitude towards the above-mentioned States. On the other hand with reference to the other cases I have never written a single line or made a single speech in which I have expressed any attitude contrary to my actions."

TRANSLATION OF DOCUMENT TC–31

Copy
GERMAN LEGATION

AIDE MÉMOIRE

The German Reich Government is determined, in view of the friendly relations which exist between Norway and Germany, under no circumstances to prejudice the inviolability and integrity of Norway and to respect the territory of the Norwegian State. In making this declaration the Reich Government naturally expects, on its side, that Norway will observe an unimpeachable neutrality towards the Reich and will not tolerate any breaches of Norwegian neutrality by any third party which might occur. Should the attitude of the Royal Norwegian Government differ from this so that any such breach of neutrality by a third party recurs, the Reich Government would then obviously be compelled to safeguard the interests of the Reich in such a way as the resulting situation might dictate.

OSLO, 2nd September 1939.

This is to certify that the above is a true copy of the Aide-Memoire which was handed to the Norwegian Foreign Minister by the German Minister in Oslo on the 2nd of September 1939.
OSLO, 3rd October 1945.

(signed) TRYGVE LIE
Foreign Minister.

PARTIAL TRANSLATION OF DOCUMENT TC–32

GERMAN ASSURANCE TO NORWAY OF OCTOBER 6, 1939

[Documents of German Politics (Dokumente der deutschen Politik), Vol. VII, I, page 350.]

Germany has never had any conflicts of interest or even points of controversy with the northern States, neither has she any today. Sweden and Norway have both been offered nonaggression pacts by Germany and have both refused them solely because they do not feel themselves threatened in any way.

TRANSLATION OF DOCUMENT TC–33

ASSURANCE TO THE NETHERLANDS AND BELGIUM, 30 JANUARY 1937

[Documents of German Politics (Dokumente der deutschen Politik) Part IV, Pages 42-43.]

As for the rest, I have more than once expressed the desire and the hope to enter into similar good and cordial relations with all our neighbours.

Germany has—and here I repeat this solemnly—given the assurance time and again, that, for instance, between her and France there cannot be any humanly conceivable points of controversy. The German Government has further given the assurance to Belgium and Holland that it is prepared to recognize and to guarantee the inviolability and neutrality of these territories.

TRANSLATION OF DOCUMENT TC–34

GERMAN DECLARATION OF OCTOBER 13TH, 1937

Monsieur le Ministre,

I have the honour on behalf of the German Government, to make the following communication to your Excellency:

The German Government has taken cognizance, with particular interest, of the public declarations in which the Belgian Government defines the international position of Belgium. For its part, it has repeatedly given expression, especially through the declaration of the Chancellor of the German Reich in his speech of January 30th, 1937 to its own point of view.

The German Government has also taken cognizance of the declaration made by the British and French Governments on April 24th, 1937.

Since the conclusion of a treaty to replace the Treaty of Locarno may still take some time, and being desirous of strengthening the peaceful aspirations of the two countries, the German Government regards it as appropriate to define now its own attitude towards Belgium.

To this end it makes the following declaration:

(1) The German Government has taken note of the views which the Belgian Government has thought fit to express; that is to say:

(*a*) Of the policy of independence which it intends to exercise in full sovereignty;

(*b*) Of its determination to defend the frontiers of Belgium with all its forces against any aggression or invasion, and to prevent Belgium territory from being used, for purposes of aggression against another State, as a passage or as a base of operations by land, by sea, or in the air; and to organize the defence of Belgium in an efficient manner for this purpose.

(2) The German Government considers that the inviolability and integrity of Belgium are common interests of the Western Powers. It confirms its determination that in no circumstances will it impair this inviolability and integrity, and that it will at all times respect Belgian territory, except, of course, in the event of Belgium's taking part in a military action directed against Germany in an armed conflict in which Germany is involved.

(3) The German Government, like the British and French Governments, is prepared to assist Belgium should she be subjected to an attack or to invasion.

I have the honour, etc.

ACKNOWLEDGMENT OF RECEIPT

The Belgian Government has taken note with great satisfaction of the declaration communicated to it this day by the German Government. It thanks the German Government warmly for this communication.

TRANSLATION OF DOCUMENT TC–36

DECLARATION MADE BY THE AMBASSADOR OF GERMANY ON AUGUST 26TH, 1939

In view of the gravity of the international situation, I am expressly instructed by the Head of the German Reich to transmit to Your Majesty the following communication.

Though the German Government is at present doing everything in its power to arrive at a peaceful solution of the questions at issue between the Reich and Poland, it nevertheless desires to define clearly, here and now, the attitude which it proposes to adopt towards Belgium should a conflict in Europe become inevitable.

The German Government is firmly determined to abide by the terms of the Declaration contained in the German Note of October 13th, 1937. This provides, in effect, that Germany will in no circumstances impair the inviolability and integrity of Belgium and will at all times respect Belgian territory. The German Government renews this undertaking, however, in the expectation that the Belgian Government, for its part, will observe an attitude of strict neutrality and that Belgium will tolerate no violation on the part of a third Power, but that on the contrary she will oppose it with all the forces at her disposal. It goes without saying that if the Belgian Government were to adopt a different attitude, the German Government would naturally be compelled to defend its interest in conformity with the new situation thus created.

TRANSLATION OF DOCUMENT TC-37

GERMAN ASSURANCE TO BELGIUM OF OCTOBER 6, 1939

[Documents of German Politics (Dokumente der deutschen Politik), Vol. VII, I, page 351.]

Belgium.

Immediately after I had taken over the affairs of the state I tried to create friendly relations with Belgium I renounced any revision or any desire for revision. The Reich has not made any demands which would in any way be likely to be considered in Belgium as a threat.

TRANSLATION OF DOCUMENT TC-40

DECLARATION BY THE GERMAN MINISTER, COUNT VON ZECH, COMMUNICATED TO HER MAJESTY THE QUEEN IN THE PRESENCE OF THE MINISTER FOR FOREIGN AFFAIRS ON 26TH AUGUST 1939

We are resolved, in accordance with the traditional friendly relations existing between the two countries, and in appreciation of the known Netherlands policy of Independence, to maintain an attitude towards the Netherlands which under no circumstances prejudices the inviolability and integrity of the Netherlands and at all times respects Netherlands territory. But we also naturally expect on our side the Netherlands to observe an unimpeachable neutrality towards us in the event of any conflict. It is of first importance in this connection that Holland shall not tolerate any breaches of her neutrality which may be committed by a third party, but shall oppose them with all the means at her disposal. Should the attitude of the Netherlands in the case of such a breach of neutrality by a third party differ from this, we should obviously be compelled to defend our interests in such a way as the resulting situation might dictate.

Voor eensluidend afschrift:

De Minister van Buitenlandsche Zaken,
Voor den Minister,
De Secretaris-General
(Signed)

Certified at the Netherlands Embassy for legislation of the foregoing signature of Jhr. A. M. Snouck Hurgronje, Secretary General of the Netherlands Ministry for Foreign Affairs.

LONDON, 5th October 1945
(Signed)
Netherlands Ambassador

TRANSLATION OF DOCUMENT TC–41

GERMAN ASSURANCE TO THE NETHERLANDS OF OCTOBER 6, 1939,

[Documents of German Politics (Dokumente der deutschen Politik), Vol. VII, I, page 351.]

Holland.

The new Reich has endeavoured to continue the traditional friendship with Holland. It has not taken over any existing differences between the two countries and has not created any new ones.

TRANSLATION OF DOCUMENT TC–42

GERMAN ASSURANCE TO LUXEMBOURG, 26 AUGUST 1939

Sir R. Clive to Viscount Halifax—(Received August 28)
(By Telephone)
(No. 40) (Telegraphic) En clair.

Brussels, August 28, 1939

Following is translation of text of German declaration to Luxembourg as given me by Luxembourg Charge d'Affaires:

The German Minister stated to M. Bech that the Reich had decided to observe towards the Grand Duchy an attitude which, in the event of war, would not in any way infringe the inviolability of the territory of the Grand Duchy.

The German Government expected the Grand Duchy to observe an attitude of strict neutrality.

In the unlikely eventuality of this not being the case, or should Luxembourg be unable, in the event of violation of her territory by a third Power, to maintain her neutrality, the German Government reserved the right to take such measures as the situation might render necessary in order to protect their interest.

TRANSLATION OF DOCUMENT TC-42-A

GERMAN ASSURANCE TO LUXEMBOURG, 28 APRIL 1939

[Documents of German Politics (Dokumente der deutschen Politik), Part VII, 1, Pages 139; 172-175.]

Finally Mr. Roosevelt demands the readiness to give him an assurance that the German fighting forces will not attack the territory or possessions of the following independent nations, and, above all, that they will not march into them. And he goes on to name the following as the countries in question: Finland, Latvia, Lithuania, Esthonia, Norway, Sweden, Denmark, Holland, Belgium, Great Britain, Ireland, France, Portugal, Spain, Switzerland, Lichtenstein, Luxembourg, Poland, Hungary, Rumania, Yugoslavia, Russia, Bulgaria, Turkey, Iraq, Arabia, Syria, Palestine, Egypt and Iran.

Answer: I started off by taking the trouble to find out in the case of the countries listed, firstly, whether they feel themselves threatened and, secondly and particularly, whether this question Mr. Roosevelt has asked us was put as a result of a demarche by them or at least with their consent.

The answer was a general negative, which in some cases took the form of a blunt rejection. Actually this counter-question of mine could not be conveyed to some of the states and nations listed, since they are not at present in possession of their liberty (as for instance Syria), but are occupied by the military forces of democratic states, and therefore, deprived of all their rights.

Thirdly, apart from that, all the states bordering on Germany have received much more binding assurances and, above all, much more binding proposals than Mr. Roosevelt asked of me in his peculiar telegram.

TRANSLATION OF DOCUMENT TC-43

GERMAN ASSURANCE TO YUGOSLAVIA OF OCTOBER 6, 1939

[Documents of German Politics, (Dokumente der deutschen Politik), Vol. VII, I, page 352.]

Immediately after the completion of the *Anschluss* I informed Yugoslavia that, from now on, the frontier with this country would also be an unalterable one and that we only desire to live in peace and friendship with her.

COPY OF DOCUMENT TC-44

NOTE ON THE EXISTENCE OF A GERMAN AIR FORCE, MARCH 9th, 1935

Group-Captain Don to Sir E. Phipps

The Ambassador,

I was asked to go to the Reichsluftfahrtministerium this morning to speak to Flieger-Kommodore Wenninger. He had mentioned last Monday at the reception at the Japanese Embassy that he had something to tell me, and would telephone to make an appointment on Wednesday or Thursday; so it is quite evident that what he has this morning communicated to me was the result of a decision made *before* the cancellation of Sir John Simon's visit, and that it had been intended to speak to me before the latter's arrival.

He told me that there are certain developments which he wished to communicate to the British air attaché, and subsequently this morning and on Monday to the other service air attachés, so that they should not hear of them for the first time when they became generally known. He used the word "Soldaten" air attachés, from which it occurred to me that possibly he is not going to include M. Poincaré, the French air attaché, who is a civilian. In this way I may be mistaken, but more than once he laid stress on the fact that he was anxious that I should understand that he was talking as one officer to another. He informed me that he had received the approval of the Reichswehrministerium and of the Ministry of Foreign Affairs for what he was about to say.

He then told me that the Chancellor has given the order that, as from the 1st March, those who are destined to belong to the future German air force shall change their rank titles, and shall assume the shoulder-straps which indicate their status as regular Reichswehr personnel. A new design of wing (an eagle), incorporating the "Haken-Kreuz," has also been adopted. Flieger-

Kommodore Wenninger, for instance, now becomes Oberst Wenninger, with aluminum braid shoulder-straps and two stars; the recently-coined title Flieger Vice-Chef now becomes General-Leutnant. I gathered that the prefix "Flieger" may be used in correspondence, but that, in conversation, the army rank titles will be used.

Oberst Wenninger, as he now is, showed me the changes on his own uniform, and explained that the new order applies to members of the Deutsche Verkehrsfliegerschule (DVS). As you will remember, this formation, with its blue uniform and *yellow* badges, has for long been looked upon by us as the foundation of Germany's air force.

I was further informed that the Deutsche Luftsportverband (DLV) would retain its civilian status as the "sports flying" body, and I gathered that its members would retain their present non-regular titles, with Flieger-Kommander as the highest title attainable, except that Herr Loerzer, their present leader, will be permitted to retain the higher title of "Flieger-Kommodore". As you probably know, we have long been of the opinion that the DLV, with its large membership (blue uniform with *blue* badges), will be the nonregular formation which will train reserve pilots and keep the nation "air minded", and be in position to supply auxiliary squadrons on mobilization.

The information, therefore, which I have received substantially confirms what we have already had good reason to believe regarding the DVS and DLV.

Oberst Wenninger impressed upon me that he had not sent for me to inform me that a German air force actually exists; formally speaking, it does not, and such an announcement must await political developments. On the other hand, preparations are in progress, including certain training schools. Of these he gave me the names of six, which he invites me to visit. I did not commit myself as to whether or not I shall take advantage of his offer. He added that he and his brother officers were only too anxious that the political situation should be cleared up so as to enable the veil of secrecy to be lifted. Meanwhile, he regretted that full details regarding future establishments and organization are not yet available.

March 9, 1935 F. P. DON, Air Attaché

(No. 269)

Sir E. Phipps to Sir John Simon—(Received March 19)

His Majesty's Ambassador at Berlin presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and has the honour to transmit to him the text and translation of the proclamation to the German people of the 16th March 1935.

Berlin, March 18, 1935

Proclamation to the German People of March 16, 1935

(Translation)

To the German People,

When in November 1918 the German people—trusting in the assurances given in Wilson's Fourteen Points—after four and a half years' glorious resistance in a war the outbreak of which they had never willed, laid down their arms, they believed that they had rendered a service not only to tortured humanity, but also to an intrinsically great idea. Themselves the worse sufferers from the consequences of this insensate struggle, the millions of our people trustfully clutched at the conception of a recasting of the relations between the nations, which were to be enobled by the abolition of secret diplomacy as conducted by small cliques on the one hand, and the terrible instruments of war on the other. The consequences of a defeat, hardest from a historical aspect, thus appeared to many Germans to be an absolutely necessary sacrifice in order to save the world for all time from similar horrors.

The idea of the League of Nations evoked, perhaps, in no nation a warmer response than in the Germans, abandoned as they were by all earthly fortune. Only so was it comprehensible that the conditions, in many respects nothing less than senseless, providing for the destruction of every requisite and every possibility of defense, were not only accepted by the German people, but were also carried out by them. The German people, and in particular their Governments of the time, were convinced that, through the fulfillment of the disarmament provisions prescribed in the Treaty of Versailles, the general International disarmament would be initiated and guaranteed as promised in that treaty. For only such bilateral fulfillment of the task set by the treaty could afford moral and rational justification for a demand which, if unilaterally imposed and executed, must lead to a perpetual discrimination and thereby to a declaration of the inferiority of a great nation. By such means, however, a peace treaty of this character could never constitute a basis for a true inner reconciliation of the nations and a consequent pacification of the world, but could for the creation of a hatred which would perpetually increase in intensity.

According to the findings of the Inter-Allied Control Commission, Germany has fulfilled the disarmament obligations imposed upon her.

The following was the work of destruction of the German means of defense, as confirmed by this commission:—

(A) *Army*

59,897	guns and gun-barrels
130,558	machine guns
31,470	trench mortars and barrels
6,007,000	rifles and carbines
243,937	machine-gun barrels
28,001	gun carriages
4,390	trench mortar gun carriages
38,750,000	shells
16,550,000	hand and rifle grenades
60,400,000	fuses
491,000,000	small arms ammunition
335,000	tons shell-cases
23,515	tons cartridge cases
37,600	tons powder
79,500	caissons
212,000	telephones
1,072	flame-throwers
31	armoured cars

59	tanks
1,762	observation cars
8,982	wireless stations
1,240	field bakeries
2,199	pontoons
981.7	tons equipment for soldiers; and
8,230,350	sets of equipment for soldiers
7,300	pistols and revolvers
180	machine-gun carriages
21	travelling workshops
12	anti-aircraft gun carriages
11	limbers
64,000	steel helmets
174,000	gas masks
2,500	machines formerly used for war manufacturing purposes
8,000	rifle-barrels

(B) *Air*

15,714	pursuit and bombing planes	27,757	aeroplane engines

(C) *Navy*

Destroyed, broken up, sunk or surrendered warship material belonging to the Navy:—

26	battleships
4	monitors
4	armored cruisers
19	small cruisers

21	training and special ships
83	torpedo boats
315	submarines

Observations on (A) and (B)

Moreover, the following were liable to destruction:—

Vehicles of every sort, gas warfare equipment, and, to a certain extent, gas protection equipment, propulsive and explosive material, searchlights, aiming apparatus, range-finders and sound-detecting apparatus of every kind, horse harness, narrow gauge material, field printing-presses, field kitchens, workshops, cut and thrust weapons, steel helmets, material for the transport of munitions, normal and special machines used in the manufacture of war material and transport appliances, drawings for them, aeroplane and airship hangars, &c.

After this historically unprecedented fulfillment of a treaty, the German people had the right to expect the redemption of the pledges given by the other side.

For—

(1) Germany had disarmed.

(2) In the Peace Treaty it was explicitly demanded that Germany must be disarmed in order to create the prerequisite for general disarmament, that is to say, it was thereby claimed that Germany's armament alone furnished justification for the armaments of the other countries.

(3) The German people were at that time, both as regards their Governments and their parties, animated by sentiments in complete accord with the pacifist and democratic ideals of the League of Nations and its founders.

But while Germany as one of the contracting parties had carried out her obligations, the fulfillment of the obligations of the second contracting party never took place. In other words, the high contracting parties of the former victor States have unilaterally freed themselves from the obligations of the Treaty of Versailles!

But it was not enough that no disarmament in any way comparable in extent with the destruction of Germany's armaments took place, no, there was not even a pause in armaments, and, indeed, on the contrary, it became finally obvious that a large number of States were rearming. New engines of destruction invented during the war now, in time of peace, received the last touches of perfection by methodical and scientific labour. In the creation of powerful tanks and also of new fighting and bombing machines continual and appalling improvements took place. Gigantic new guns were constructed and new explosive, incendiary and gas bombs developed.

Since then the world has once again been resounding with war cries, as if there had never been a world war and as if no Treaty of Versailles had ever been concluded.

In the midst of these warrior States, highly armed and ever making more use of the most modern mechanized forces, Germany was, in respect of power, an empty space delivered over defenseless to every threat and menace from any quarter. The German people are mindful of the misfortune and suffering of fifteen years of economic misery and of political and moral humiliation.

It was, therefore, comprehensible when Germany began loudly to press for the redemption of the disarmament promises of the other States.

For this is clear:

A hundred years of peace would be not only tolerated by the world, but it must be an immeasurable blessing to it. A century of forcible division into victors and vanquished it cannot, however, endure.

Feeling as regards the moral justification and necessity of international disarmament was, however, alive, not only in Germany but also within many other nations. From the pressure of these forces arose the attempts to bring about, by means of conferences, a reduction of armaments and thereby an international general approximation on a low level.

In this way there came about the first proposals for an international armaments convention, of which we remember the MacDonald plan as important.

Germany was ready to accept this plan and to make it a basis of agreements to be concluded.

It collapsed on the refusal of other States and was finally abandoned. As in such circumstances the equality of rights solemnly promised to the German people and Reich in the declaration of December 1932 was not realized, the new German Government, as protector of the honour and the vital right of the German people, found themselves unable to participate further in such conferences or to continue to belong to the League of Nations.

But even after their departure from Geneva the German Government were still prepared not only to examine proposals of other States but also to make practical proposals on their own account.

In so doing they accepted the view, actually laid down by the other States, that the creation of short-service armies was unsuitable for aggressive purposes and was, therefore, to be recommended for peaceful defense.

It was therefore ready, in accordance with the wish of the other States, to transform the long-service Reichswehr into a short-service army. Its proposals, made in the winter of 1933-34, were practical and capable of realization. The rejection of these proposals as well as the final rejection of the similarly conceived Italian and British drafts led, however, to the conclusion that there was no longer any inclination in the case of the other parties to the treaty to fulfill subsequently the Versailles disarmament provisions in the sense intended.

In these circumstances the German Government felt obliged to take of their own initiative those measures which were necessary to ensure the termination of a condition of impotent defenselessness of a great people and country which was as undignified as it was in the last resort menacing.

In so doing they were actuated by the same considerations as those which were so truthfully expressed by Mr. Baldwin in his last speech: "A country which shows itself unwilling to make what necessary preparations are requisite for its own defense will never have force, moral or material, in this world."

The Government of present-day Germany, however, only desires one single moral and material power; that is, the power to be able to safeguard the peace for the Reich and thereby also for the whole of Europe.

They have therefore continued to do what lay within their power and was calculated to further the interests of peace:

(1) They proposed to all their neighbour States, some considerable time ago, the conclusion of nonaggression pacts.

(2) They have sought and reached with their eastern neighbour a treaty settlement which will, they hope, thanks to the large spirit of mutual comprehension shown, purify forever the threatening atmosphere which they found on assuming power and lead to a lasting understanding and friendship between the two nations.

(3) They have, finally given France the solemn assurance that, the Saar question having been settled, Germany will now present or raise no further territorial claims against France. They believe they have thus, by a heavy political and material sacrifice, created in a form rare in history the basis for the termination of a century-long conflict between the two great nations.

The German Government must, however, to their regret note that for months past a steadily rising rearmament of the rest of the world has been taking place. They perceive in the creation of a Soviet Russian army of 101 divisions, that is to say, an admitted peace strength of 960,000 men, an element which could not have been foreseen at the drafting of the Treaty of Versailles.

They perceive in the acceleration of similar measures in other States further evidence of the rejection of this disarmament idea once proclaimed. It is far from the German Government to wish to bring forward a reproach against any State. They must, however, place on record today the fact that through the introduction of the two-year service period in France now decided on, the underlying conception of the creation of short-term defense armies has been abandoned in favour of a long-service organization.

That was, however, one of the arguments used at the time to justify the demand that Germany should give up the Reichswehr!

The German Government consider it in these circumstances an impossibility to defer any longer the measures necessary for the security of the Reich, or, indeed, to conceal them from the knowledge of the rest of the world.

In now complying therefore with the wish expressed in the speech of the British Minister Mr. Baldwin on the 28th November 1934, for a clarification of the German intentions, they do so in order—

(1) To convince the German people and to inform the other States that the protection of the honour and security of the German Reich will henceforth once more be entrusted to the German nation's own strength;

(2) But, by defining the scope of the German measures, to refute those assertions which attempt to attribute to the German people the attempt to attain a position of military hegemony in Europe.

What the German Government, as protector of the honour and the interests of the German nation, desire is to ensure that degree of armed force which is necessary not only for the maintenance of the integrity of the German Reich, but also for the international respect and esteem of Germany as a co-guarantor of the general peace.

For in this hour the German Government renew before the German people and before the whole world the assurance of their determination never to go beyond the protection of German honour and the freedom of the Reich, and in particular of their desire not to create in the German national armaments an instrument of warlike aggression, but rather one exclusively of defense and thereby of the maintenance of peace.

The German Government express the confident hope that it may be granted to the German people, now recovering their honour in independent equality of rights, to make their contribution to the pacification of the world in free and open cooperation with other nations and their Governments.

In this sense the German Government have today adopted the following law:

Law for the Building Up of the Defense Force,
dated March 16, 1935

The Government of the Reich have adopted the following law, which is herewith promulgated:

Article 1. Service in the Defense Force shall be on the basis of general compulsory service.

Art. 2. The German peace army, including the police troops transferred to it, is divided into twelve corps commands and thirty-six divisions.

Art. 3. The supplementary laws governing general compulsory service shall be presented to the Cabinet forthwith by the Minister of Defense.

ADOLF HITLER.
Leader and Chancellor of the Reich
[Other signatures]

Berlin, March 16, 1935

COPY OF DOCUMENT TC-46

GERMAN MEMORANDUM TO SIGNATORIES OF LOCARNO PACT, REASSERTING FULL GERMAN SOVEREIGNTY OVER RHINELAND, 7 MARCH 1936.

Immediately after being informed of the Pact between France and the Union of Socialist Soviet Republics, concluded on the 2nd May, 1935, the German Government drew the attention of the other signatory Powers of the Locarno Rhine Pact to the fact that the obligations, which France has undertaken in the new Pact, are not compatible with her obligations arising out of the Rhine Pact. The German Government then explained their point of view in full detail and in both its legal and political aspects—in its legal aspect in the German Memorandum of the 25th May, 1935, in its political aspects in the many diplomatic conversations which followed on that Memorandum. It is also known to the Governments concerned that neither their written replies to the German Memorandum, nor the arguments brought forward by them through the diplomatic channel, or in public declarations, were able to invalidate the German Government's point of view.

In fact, all the diplomatic and public discussions which have taken place since May 1935 regarding these questions, have only been able to confirm on all points the view expressed by the German Government at the outset.

1. It is an undisputed fact that the Franco-Soviet Pact is exclusively directed against Germany.

2. It is an undisputed fact that in the Pact France undertakes, in the event of a conflict between Germany and the Soviet Union, obligations which go far beyond her duty as laid down in the Covenant of the League of Nations, and which compel her to take military action against Germany even when she cannot appeal either to a recommendation or to an actual decision of the Council of the League.

3. It is an undisputed fact that France, in such a case, claims for herself the right to decide on her own judgment who is the aggressor.

4. It is thereby established that France has undertaken towards the Soviet Union obligations which practically amount to undertakings in a given case to act as if neither the Covenant of the League of Nations, nor the Rhine Pact, which refers to the Covenant, were valid.

This result of the Franco-Soviet Pact is not removed by the fact that France, in the Pact, makes the reservation that she does not wish to be bound to take military action against Germany if by such action she would expose herself to a sanction on the part of the guarantor Powers, Italy and Great Britain. As regards this reservation, the decisive fact remains that the Rhine Pact is not based only on the obligations of Great Britain and Italy as guarantor Powers, but primarily on the obligations established in the relations between France and Germany. Therefore it matters only whether France, in undertaking these treaty obligations, has kept herself within the limits imposed on her so far as Germany is concerned by the Rhine Pact.

This, however, the German Government must deny.

The Rhine Pact was intended to achieve the object of securing peace in Western Europe by providing that Germany on the one hand and France and Belgium on the other hand, in their relation to one another, should renounce for all time the use of military force. If at the time of the conclusion of the pact certain exceptions to this renunciation of war going beyond the right of self-defense were admitted, the political reason for this, as is generally known, lay solely in the fact that France had already undertaken certain obligations towards Poland and Czechoslovakia which she did not wish to sacrifice to the conception of absolute security in the West. Germany, with her own clear conscience in regard to the matter, at the time accepted these limitations on the renunciation of war. She did not raise objections to the treaties with Poland and Czechoslovakia, laid by France on the table at Locarno, solely on the obvious condition that these treaties were in conformity with the construction of the Rhine Pact, and contained no sort of provisions regarding the application of article 16 of the Covenant of the League of Nations, such as those contained in the new Franco-Soviet agreements. The contents of these special agreements, as then notified to the German Government, fulfilled this condition.

The exceptions admitted in the Rhine Pact were not, it is true, specifically confined to Poland and Czechoslovakia, but were formulated as an abstract principle. Nevertheless, the intention of all the negotiations relating to these questions was merely to find a compromise between the renunciation of war by Germany and France, and the wish of France to maintain the obligations which she had already undertaken towards her Allies. If, therefore, France now utilizes the abstract provisions of the Rhine Pact, which permit the possibility of war, in order to conclude a fresh alliance against Germany with a Power highly armed in a military sense; if she thus further, and in so decisive a manner, restricts the scope of the renunciation of war agreed upon with Germany; and if in this connection, as shown above, she does not even observe the fixed formal legal limits, she has created an entirely new situation, and has destroyed the political system of the Rhine Pact, not only in theory but also in fact.

The latest debates and decisions of the French Parliament have shown that France, in spite of the German representations, is determined to put the pact with the Soviet Union definitely into force. A diplomatic conversation has even revealed that France already regards herself as bound by her signature of this pact on the 2nd May 1935. In the face of such a development of European politics, the German Government, if they do not wish to neglect or to abandon the interests of the German people which they have the duty of safeguarding, cannot remain inactive.

The German Government have continually emphasized during the negotiations of the last years their readiness to observe and fulfill all the obligations arising from the Rhine Pact as long as the other contracting parties were ready on their side to maintain the pact. This obvious and essential condition can no longer be regarded as being fulfilled by France. France has replied to the repeated friendly offers and peace-assurances made by Germany by infringing the Rhine Pact through a military alliance with the Soviet Union exclusively directed against Germany. In this manner, however, the Locarno Rhine Pact has lost its inner meaning and ceased in practice to exist. Consequently, Germany regards herself for her part as no longer bound by this dissolved treaty. The German Government is now constrained to face the new situation created by this alliance, a situation which is rendered more acute by the fact that the Franco-Soviet Treaty has been supplemented by a Treaty of Alliance between Czechoslovakia and the Soviet Union exactly parallel in form. In accordance with the fundamental right of a nation to secure its frontiers and ensure its possibilities of defense, the German Government have today restored the full and unrestricted sovereignty of Germany in the demilitarized zone of the Rhineland.

In order, however, to avoid any misinterpretation of their intentions and to establish beyond doubt the purely defensive character of these measures, as well as to express their unchangeable longing for a real pacification of Europe between States which are equals in rights and equally respected, the German Government declare themselves ready to conclude new agreements for the creation of a system of peaceful security for Europe on the basis of the following proposals:

(1) The German Government declare themselves ready to enter at once into negotiations with France and Belgium with regard to the creation of a zone demilitarized on both sides, and to give their agreement in advance to any suggestion regarding the depth and nature thereof on the basis of full parity.

(2) The German Government propose, for the purpose of ensuring the sanctity and inviolability of the boundaries in the West, the conclusion of a nonaggression pact between Germany, France and Belgium, the duration of which they are ready to fix at twenty-five years.

(3) The German Government desire to invite Great Britain and Italy to sign this treaty as guarantor Powers.

(4) The German Government agree, in case the Netherlands Government should so desire and the other contracting Parties consider it appropriate, to bring the Netherlands into this treaty system.

(5) The German Government are prepared, in order to strengthen further these security agreements between the Western Powers, to conclude an air pact calculated to prevent in an automatic and effective manner the danger of sudden air attacks.

(6) The German Government repeat their offer to conclude with the States bordering Germany in the East nonaggression pacts similar to that with Poland. As the Lithuanian Government have in the last few months corrected their attitude towards the Memel Territory to a certain extent, the German Government withdrew the exception which they once made regarding Lithuania and declare their readiness, on condition that the guaranteed autonomy of the Memel Territory is effectively developed, to sign a nonaggression pact of this nature with Lithuania also.

(7) Now that Germany's equality of rights and the restoration of her full sovereignty over the entire territory of the

German Reich have finally been attained, the German Government consider the chief reason for their withdrawal from the League of Nations to be removed. They are therefore willing to reenter the League of Nations. In this connection they express the expectation that in the course of a reasonable period the question of colonial equality of rights and that of the separation of the League Covenant from its Versailles setting may be clarified through friendly negotiations.

COPY OF DOCUMENT TC–47

Sir N. Henderson to Viscount Halifax. (Received March 16)
[R 2665/137/3]
No. 241

His Majesty's Ambassador at Berlin presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and, with reference to Berlin telegram No. 100, has the honour to transmit to him a copy of a proclamation of the Fuehrer on the 12th March 1938, respecting Austria.

Berlin, March 12, 1938

Proclamation of the Fuehrer which was Broadcast to-day at Midday by Dr. Goebbels from all German and Austrian Stations

(Translation)

Germans!

For years we have observed with deep sorrow the fate of our comrades in Austria.

An eternal, historical connection, which was first broken in the year 1866 but in the world war received a new seal, has joined Austria since earliest times to the fate and community of the German people. The wrong which has been done to Austria, first from without and then from within, we have felt as though it were our own; just as we know that the misfortunes of the Reich have been to the millions of German Austrians the cause of similar anxiety and sympathy.

When in Germany the nation, thanks to the victory of the National Socialist idea, again discovered the path to the proud self-consciousness of a great people, in Austria a new period of suffering and bitter hardship began. A régime which lacked all legal authority attempted to maintain, by the most brutal methods of terror, of physical and economic repression and oppression, an existence which was rejected by the overwhelming majority of the Austrian people. Thus, we, a great people, were forced to stand by while more than 6 million men and women of similar origin as ourselves were oppressed by a numerically small minority simply because they had managed to obtain possession of the necessary organs of power.

The deprivation and gagging of political rights was accompanied by a deterioration in the economic sphere which was in frightful contrast to the blossoming of new life in Germany.

Who could find fault with our unfortunate comrades for casting longing looks in the direction of the Reich—in the direction of that Germany with whom their forefathers had been allied through so many centuries, with whom they had fought shoulder to shoulder in the greatest war of all times, whose culture was their culture, to which they themselves in many fields had made such valuable contributions? To suppress such sentiments was nothing less than to condemn hundreds of thousands of men and women to the most profound spiritual anguish.

But even though this wrong was patiently borne for many years, yet a time came when, with the increasing respect in which the Reich was held, the will to cast off this oppression became ever more vehement.

Germans! I have attempted in the last years to warn the late authorities in Austria of the danger of their ways. Only a madman could believe it possible to suppress indefinitely by methods of terrorism a people's love for the principles of its origin. European history has shown that in such cases only a greater fanaticism is bred. This fanaticism then compels the oppressor to adopt ever harsher methods of suppression, which only increase the hatred and horror of those affected.

I have also tried to convince the responsible authorities that it would be impossible, because unworthy, for a great nation to continue to see kindred men and women oppressed, persecuted and imprisoned only on account of their origin or their avowal there of or because of their devotion to an idea. Over 40,000 fugitives have fled to Germany alone, 10,000 others in this small country have passed through the prisons, dungeons and concentration camps, hundreds of thousands have been reduced to beggary and impoverished. No nation could continue to tolerate such incidents on its borders without deserving the contempt of the world.

I attempted in 1936 to find a way which might offer the prospect of alleviating the tragic fate of this German brother country in order thus to reach a real reconciliation. Hardly, however, was the agreement of the 11th July signed before again being broken. The suppression of the rights of the overwhelming majority remained, their unworthy position as pariahs in the country was not altered. Those who openly avowed their German origin were persecuted, irrespective of whether they were Nationl Socialist crossing-sweepers or illustrious commanders in the Great War.

I then tried a second time to effect an understanding. I made efforts, I appointed Fuehrer of the German people, I made efforts to convince the representative of this régime, though he had no authorized mandate from his people, that this state of affairs could not possibly last since the increasing indignation of the Austrian people could not be forever held down with increasing force, and that from a given moment it would also be intolerable for the Reich to look on at such oppression unprotesting.

For, if to-day the solution of the colonial problem is made dependent on questions of self determination on the part of the lower types of humanity concerned, it is all the more intolerable that 6½ million members of a great and ancient cultural people should by reason of the nature of its régime in practice be deprived of such rights.

I therefore wished in a new agreement to effect that in this country all Germans should be subject to the same rights and to the same obligations. This arrangement was to be a complement to the treaty of the 11th July 1936.

A few weeks later we had, however, regretfully to note that the members of the late Austrian Government did not propose to carry out the spirit of this agreement. In order, however, to manufacture an alibi for their continued refusal of equal rights to the Austrian Germans, a plebiscite was devised with the object of irrevocably depriving the majority of this country of their rights. The modalities of this procedure were to be unique. A country which for many years had had no election at all, which lacked all data for determining those eligible to vote, prescribes an election which was to take place within a bare three and a half days!

There are no election lists, no election cards. There is no investigation of the eligibility of voters, no obligation of secrecy, no guarantee for the impartial conduct of the ballot, no security as regards the counting of votes, etc. If these are the methods to give a régime the character of legality, then we National Socialists in the German Reich were nothing but fools for fifteen years! We went through hundreds of elections in order to obtain painfully the approval of the German people.

When the late Reichspraesident finally called me to office I was the leader of by far the strongest party in the Reich. Since then I have always attempted to have the legality of my position and of my actions confirmed by the German people, and they have been confirmed. But if Herr Schuschnigg's methods are the right ones, then the plebiscite in the Saargebiet was merely the chicanery of a people whose return to the Reich it was wished to make more difficult.

But we here think otherwise! I think we may all be proud of the fact that even on the occasion of the voting in the Saar territory we obtained the confidence of the German people in so irreproachable a manner.

The German people in Austria have at last risen against this unique attempt to hold a falsified election. If, however, the régime had intended this time to suppress the movement of protest by force, then the event could only have led to a further civil war. But the German people from now on does not allow Germans to be persecuted in this territory because of their belonging to our nation or because of their avowal of certain convictions. It insists on peace and order!

I have therefore decided to place the help of the Reich at the disposal of the millions of Germans in Austria. Since this morning the soldiers of the German armed forces have been marching across all the German-Austrian frontiers! Mechanized troops, infantry divisions and S.S. troops on the ground and squadrons of German aeroplanes in the blue heavens—summoned by the new National Socialist régime itself in Vienna—will be a guarantee that the Austrian people will at last in the near future have the opportunity, by means of a real plebiscite, to decide for itself its future destiny. Behind these troops stand the will and the determination of the whole German nation.

I myself, as leader and Chancellor of the German people, will be happy once more as a German and free citizen to visit again that country, which is also my home. But the world may rest assured that the German people in Austria in these days are living hours of deepest joy and exultation.

They see in the brothers hastening to their help the saviours from their deepest need. Long live the National Socialist German Reich! Long live National Socialist Austria!

March 12, 1938.

TRANSLATION OF DOCUMENT TC–49

Text of the Agreement between the Fuehrer and Reichs Chancellor Adolf Hitler and the President of the Czecho-Slovak State, Dr. Hacha.

[Documents of German Politics, (Dokumente der deutschen Politik), Part VII, 2, Pages 498-499.]

The Fuehrer and Reichs Chancellor to-day received in Berlin, at their own request, the President of the Czecho-Slovak State, Dr. Hacha, and the Czecho-Slovak Foreign Minister, Dr. Chwalkowsky, in the presence of Herr von Ribbentrop, the Foreign Minister of the Reich. At this meeting the serious situation which had arisen within the previous territory of Czecho-Slovakia, owing to the events of recent weeks, was subjected to a completely open examination. The conviction was unanimously expressed on both sides that the object of all their efforts must be to assure quiet, order and peace in this part of Central Europe. The President of the Czecho-Slovak State declared that, in order to serve this end and to reach a final pacification, he confidently placed the fate of the Czech people and of their country in the hands of the Fuehrer of the German Reich. The Fuehrer accepted this declaration and expressed his decision to assure to the Czech people, under the protection of the German Reich, the autonomous development of their national life in accordance with their special characteristics. In witness whereof this document is signed in duplicate.

ADOLF HITLER — Dr. HACHA
Von RIBBENTROP — Dr. CHWALKOWSKY
Berlin, March 15, 1939.

TRANSLATION OF DOCUMENT TC–50

PROCLAMATION OF THE FUEHRER TO THE GERMAN PEOPLE ON 15th MARCH 1939

[Documents of German Politics (Dokumente der deutschen Politik) Part VII, 2, Pages 499–501.]

To the German People—

Only a few months ago Germany was compelled to protect her fellow-countrymen living in well-defined settlements against the unbearable Czechoslovakian terror regime; and during the last weeks the same thing has happened on an ever increasing scale. This is bound to create an intolerable state of affairs within an area inhabited by citizens of so many nationalities.

These national groups, to counteract the renewed attacks against their freedom and life, have now broken away from the Prague Government. Czechoslovakia has ceased to exist.

Since Sunday at many places wild excesses have broken out, amongst the victims of which are again many Germans. Hourly the number of oppressed and persecuted people crying for help is increasing. From areas thickly populated by German-speaking inhabitants, which last autumn Czechoslovakia was allowed by German generosity to retain, refugees robbed of their personal belongings are streaming into the Reich.

Continuation of such a state of affairs would lead to the destruction of every vestige of order in an area in which Germany is vitally interested, particularly as for over 1,000 years it formed a part of the German Reich.

In order definitely to remove this menace to peace and to create the conditions for a necessary new order in this living space. I have to-day resolved to allow Germans troops to march into Bohemia and Moravia. They will disarm the terror gangs and the Czechoslovakian forces supporting them, and protect the lives of all who are menaced. Thus they will lay the foundations for introducing a fundamental re-ordering of affairs which will be in accordance with the 1,000 year-old history and will satisfy the practical needs of the German and Czech peoples.

BERLIN, 15th March 1939 (signed) ADOLF HITLER

ORDER OF THE FUEHRER TO THE GERMAN ARMED FORCES, 15th MARCH 1939

Czechoslovakia is in dissolution. In Bohemia and Moravia terror against German fellow-countrymen reigns. From 15 March 1939 onwards formations of the German Army and Air Force will enter Czech territory in order to safeguard lives and property of all inhabitants of the country.

I expect every German soldier to consider himself not as an enemy of the inhabitants of the territory to be occupied, but only as an instrument for carrying out the German Reich Government's decision to restore a satisfactory order in that territory. But should resistance be offered anywhere, it will immediately be crushed with all means.

For the rest, remember that you set foot on Czech soil as representatives of Greater Germany.

The Fuehrer and Supreme C-in-C of the Armed Forces

(signed) ADOLF HITLER.

Sir N. Henderson to Viscount Halifax. (Received March 18)
No. 102. Saving (Telegraphic) En clair.
MY telegram No. 120

Berlin, March 16 1939.

Following is the text of a decree, dated 16th March, issued by Herr Hitler regulating the status of the Protectorate of Bohemia and Moravia:—

For ten centuries the Bohemian-Moravian lands belonged to the living space of the German people. Force and lack of understanding arbitrarily tore them from their old historical surroundings and finally created a source of permanent unrest by incorporating them within the artificial edifice of Czecho-Slovakia. From year to year the danger that a new, appalling menace to European peace would emanate, as had happened once before in the past, from this living space, increased. For the Czecho-Slovak State, and those in power there, had not succeeded in properly organizing the existence side by side of the national groups arbitrarily united within its boundaries and had thereby failed to awaken the interest of all concerned in the maintenance of their common State. It has thereby proved its inmost incapacity to exist and has for this reason now also fallen into actual dissolution.

The German Reich, however, cannot tolerate permanent disturbances in these territories that are so all-important to its own peace and security and also so important to the general well-being and universal peace. Sooner or later the Reich, as the Power most interested and affected, by history and geographical position, would have to suffer the most serious consequences. Self-preservation, therefore, requires that the German Reich should be determined to intervene decisively in favour of the restoration of a basis for a reasonable Central European order and should take the requisite measures. For it has already proved in the course of its historical past of a thousand years that it alone, thanks to its greatness and to the qualities of the German people, can be called upon to solve these tasks.

Filled with the earnest desire to serve the true interests of the peoples domiciled in this living space, to guarantee the individual national life of the German and of the Czech peoples, to benefit peace and the social welfare of all, I therefore decree the following, in the name of the German Reich, as the basis for the future existence in common of the inhabitants of these territories:—

Article I

1. The territories which formed part of the former Czecho-Slovak Republic and which were occupied by German troops in March 1939 belong henceforth to the territory of the German Reich and come under the latter's protection as the "Protectorate of Bohemia and Moravia."

2. In so far as the defense of the Reich demands, the Leader and Chancellor shall take measures differing from the above in respect of individual parts of these areas.

Article II

Inhabitants of the protectorate of German race shall become German nationals and German citizens in accordance with the provisions of the Reich Citizenship Law of the 15th September, 1935 (Reichsgesetzblatt I, Ts 1146). The provisions with regard to safeguarding German blood and German honour shall therefore also apply to them. They shall be subject to German jurisdiction.

2. The remaining inhabitants of Bohemia and Moravia shall be nationals of the Protectorate of Bohemia and Moravia.

Article III

1. The Protectorate of Bohemia and Moravia is autonomous and self-administering.

2. It shall exercise its sovereign rights within the scope of the protectorate in consonance with the political, military and economic importance of the Reich.

3. These sovereign rights shall be represented by its own organs, authorities and officials.

Article IV

The head of the autonomous administration of the Protectorate of Bohemia and Moravia shall enjoy the guard and honours of the head of a State. The head of the protectorate must possess, in order to exercise his functions, the confidence of the Leader and Chancellor of the Reich.

Article V

1. As trustee of Reich interests the Leader and Chancellor of the Reich shall nominate a "Reich Protector in Bohemia and Moravia." His seat of office will be Prague.

2. The Reich Protector, as representative of the Leader and Chancellor of the Reich and as Commissioner of the Reich Government, is charged with duty of seeing to the observance of the political principles laid down by the Leader and Chancellor of the Reich.

3. The members of the Government of the protectorate shall be confirmed by the Reich Protector. The confirmation may be withdrawn.

4. The Reich Protector is entitled to inform himself of all measures taken by the Government of the protectorate and to give advice. He can object to measures calculated to harm the Reich and, in case of danger, issue ordinances required for the common interest.

5. The promulgation of laws, ordinances and other legal announcements and the execution of administrative measures and legal judgments shall be annulled if the Reich Protector enters an objection.

Article VI

1. The foreign affairs of the protectorate, especially the protection of its nationals abroad, shall be taken over by the Reich. The Reich will conduct foreign affairs in accordance with the common interest.

2. The protectorate shall have a representative accredited to the Reich Government with the title of a "minister".

Article VII

1. The Reich shall accord military protection to the protectorate.

2. In the exercise of this protection the Reich shall maintain garrisons and military establishments in the protectorate.

3. For the maintenance of internal security and order the protectorate may form its own organizations. The composition, strength, numbers and arms shall be decided by the Reich Government.

Article VIII

The Reich shall control directly the transport, post and telegraph systems.

Article IX

The protectorate shall belong to the customs area of the Reich and be subject to its customs sovereignty.

Article X

The crown is legal tender, together with the reichsmark, until further notice.

2. The Reich Government shall fix the ratio of one to the other.

Article XI

1. The Reich can issue ordinances valid for the protectorate in so far as the common interest requires.

2. In so far as a common need exists, the Reich may take over branches of administration and create its own Reich authorities therefor as required.

3. The Reich Government may take measures for the maintenance of security and order.

Article XII

The law at present existing in Bohemia and Moravia shall remain in force so long as it does not conflict with the principle of the assumption of protection by the German Reich.

Article XIII

The Reich Minister of the Interior shall issue, in agreement with the other Ministers concerned, the administrative and legal regulations for the execution and amplification of this decree.

Hitler — Ribbentrop
Frick — Lammers

Prague, March 16.

PROTEST BY THE BRITISH GOVERNMENT AGAINST THE ANNEXATION OF CZECHOSLOVAKIA

[From British Foreign Office files]

[C 3318/19/18]

No. 143.

Viscount Halifax to Sir N. Henderson (Berlin).

(No. 68.) (Telegraphic.) R. *Foreign Office, March* 17, 1939.

Please inform German Government that His Majesty's Government desire to make it plain to them that they cannot but regard the events of the past few days as a complete repudiation of the Munich Agreement and a denial of the spirit in which the negotiators of that agreement bound themselves to co-operate for a peaceful settlement.

His Majesty's Government must also take this occasion to protest against the changes effected in Czecho-Slovakia by German military action, which are, in their view, devoid of any basis of legality.

TRANSLATION OF DOCUMENT TC–53

PROTEST BY THE FRENCH GOVERNMENT AGAINST THE GERMAN VIOLATION OF THE MUNICH AGREEMENT

M. Georges Bonnet, Minister for Foreign Affairs,
to M. Coulondre, French Ambassador, Berlin

Paris, 17th March 1939

Please ask for an audience of the Minister for Foreign Affairs to transmit to him the note of which I enclose the text. (A similar demarche has been ordered for your British Colleague).

By a letter dated March 15th 1939, his Excellency the German Ambassador communicated to the Minister for Foreign Affairs of the French Republic, at the command of his Government, the text of an agreement concluded on the night of March 14/15 between the Fuehrer and Chancellor and the Minister for Foreign Affairs of the Reich on the one hand, and the President and the Minister for Foreign Affairs of the Czechoslovak Republic on the other hand.

In the same communication it was stated that at 6 o'clock in the morning German troops had crossed the Czechoslovak frontier and that the necessary measures had been taken to prevent any resistance and any bloodshed, and to permit of an orderly and peaceful completion of the occupation and pacification of the territory.

The French Ambassador has the honour to inform the Minister for Foreign Affairs of the Reich of the formal protest made by the Government of the French Republic against the measures which the communication of Count de Welzeck records.

The Government of the Republic consider in fact that, in face of the action directed by the German Government against Czechoslovakia, they are confronted with a flagrant violation of the letter and the spirit of the agreements signed at Munich on September 9, 1938.

The circumstances in which the agreement of March 15 have been imposed on the leaders of the Czechoslovak Republic do not in the eyes of the Government of the Republic legalize the situation registered in that agreement.

The French Ambassador has the honour to inform his Excellency the Minister for Foreign Affairs of the Reich that the Government of the Republic cannot recognize, under these conditions, the legality of the new situation created in Czechoslovakia by the action of the German Reich.

(signed) GEORGE BONNE

TRANSLATION OF DOCUMENT TC-53-A

Marginal Note to the law concerning the Reunion of the Memel Territory with the German Reich of 23 March 1939.

[Documents of German Politics (Dokumente der deutschen Politik), Part VII, 2, Page 552, Note 2.]

The transfer commissioner [Ueberleitungskommissar] for the Memel Territory, Gauleiter and Oberpresident Erich Koch, effected on 3 April 1939 during a conference at Memel the final incorporation of the late Memel Territory into the national-socialist party Gau of East Prussia and into the state administration of the East-Prussian Regierungsbezirk of Grunbinnen.

TRANSLATION OF DOCUMENT TC-54

PROCLAMATION OF THE FUEHRER TO THE GERMAN ARMED FORCES, 1st SEPTEMBER, 1939

To the Armed Forces—

The Polish Government unwilling to establish good neighbourly relations as aimed at by me wants to force the issue by way of arms.

The Germans in Poland are being persecuted with bloody terror and driven from their homes. Several acts of frontier violation which cannot be tolerated by a great power show that Poland is no longer prepared to respect the Reich's frontiers. To put an end to these mad acts I can see no other way but from now onwards to meet force with force.

The German Armed Forces will with firm determination take up the struggle for the honour and the vital rights of the German people.

I expect every soldier to be conscious of the high tradition of the eternal German soldierly qualities and to do his duty to the last.

Remember always and in any circumstances that you are the representatives of National Socialist Greater Germany.

Long live our people and Reich!

Berlin, 1st September 1939.

(signed) ADOLF HITLER.

PARTIAL TRANSLATION OF DOCUMENT TC–54–A

"DANZIG'S RETURN TO THE REICH."

[Documents of German Politics (Dokumente der deutschen Politik), Part VII, 2, Page 575.]

Simultaneously with the German counter-attack against Poland which opened early on September 1st, military operations were commenced against Danzig. Of all the numerous Polish strong points in the town proper, such as the central station, the railway post office, the railway directorate, etc., only the garrison at the Polish Post Office (formerly the Danzig garrison hospital) at the Heveliusplatz offered serious resistance; this was however broken late in the afternoon of September 1st by the county police [Landespolizei] and S.S. Heimwehr who made use of heavy guns. The artillery training ship "Schleswig Holstein", which had entered Danzig harbour during the morning of August 25th, and German dive bombers were used against the Westerplatte, which the Poles had fortified heavily, in breach of agreement, and garrisoned with about 240 men; they surrendered unconditionally on September 7th. Thus the whole extent of the free state territory had been liberated. Gauleiter Forster in his capacity as head of the Danzig state awarded, with the Fuehrer's consent, w.e.f. August 31st the "Cross of Danzig" to all those who had rendered services to the "development of the national-socialist party in the Gau Danzig and the national-socialist state of Danzig."

VON BRAUCHITSCH APPEAL TO THE PEOPLE OF DANZIG, 1 SEPTEMBER 1939.

[Documents of German Politics (Dokumente der deutschen Politik), Part VII, 2, Page 596, Note 2.]

German Co-nationals

The hour of your return to the Greater German fatherland has struck. German troops have brought your land into the orbit of the Reich's protection and supreme authority. The Fuehrer and Supreme Commander of the Wehrmacht has vested in me executive powers within the territory of the former Free State of Danzig. I have entrusted the GOC [Oberbegehlshaber] troops East Prussia (General von Knechler), with this function and I am placing Gauleiter Forster as head of the civil administration at his disposal.

All regulations issued will be for the good of our Fatherland and of every single one of you, and are necessary to facilitate the fulfillment of the Wehrmachts' tasks. All authorities and other official services will continue their functions.

In this great and decisive hour I am confident that you will follow the Fuehrer with the same unbreakable faith, unity and ready devotion as in the past.

Long Live the Fuehrer!

The Supreme Commander of the Army.

(Sgd) von Brauchitsch.

TRANSLATION OF DOCUMENT TC-55

GERMAN ULTIMATUM (MEMORANDUM) TO THE NORWEGIAN AND DANISH GOVERNMENTS DATED APRIL 9, 1940.

[Documents of German Politics (Dokumente der deutschen Politik), Part VIII, I, Pages 21-31.]

Contrary to the sincere desire of the German people and their Government to live in peace and amity with the English and French peoples, and in spite of the absence of any reasonable grounds for mutual strife, those in power in London and Paris have declared war on the German nation.

With the unleashing of this war of aggression against the existence of the German Reich for which they had long been preparing, England and France have also started a maritime war against the neutral world.

Whilst, with complete disregard of the elementary rules of international law, they sought to direct a starvation blockade against German women, children, and old people, at the same time they subjected neutral States to their ruthless blockade measures. The immediate consequences of these methods of warfare initiated by England and France, which are contrary to international law and which had to be met by Germany with counter measures, were the most severe damage to neutral shipping and to neutral trade. This English procedure, however, dealt the very conception of neutrality a shattering blow.

Germany, for her part, has made equally serious efforts to preserve the rights of neutral countries by her endeavours to limit maritime warfare to maritime zones lying between Germany and her opponents. In contrast to this, England, with the object of diverting danger from her islands and at the same time of preventing German trade with neutral countries has enpended greater and greater efforts on carrying maritime warfare into neutral waters. In pursuance of this truly British method of waging war, England has taken belligerent action in the territorial waters and regions of Denmark and Norway to an ever increasing degree and in flagrant breach of international law.

From the outbreak of the war Germany had foreseen this development. Through her economic policy at home and abroad she has known how to frustrate the attempt made by the British starvation blockade against the German nation and to prevent the strangulation of German trade.

This has caused the complete collapse of the British blockade policy to become increasingly evident in recent months.

These developments, together with the hopelessness of any direct attack on German western defenses and the growing anxiety in England and France in the face of the successful German counterattacks at sea and in the air, have recently caused both nations to make increasingly serious efforts to carry the theatre of war by every means in their power into the neutral mainland both within and outside Europe. It goes without saying that, following the British tradition, England and France, in making these attempts, have the small European states in view in the first place. During recent months English and French statesmen have quite openly proclaimed the extension of the war to these territories to be the fundamental strategical concept of their conduct of the war.

The Russo-Finnish conflict offered the first occasion for this. The English and French Governments had expressed quite openly their intention to intervene with military force in the conflict between Soviet Russia and Finland, and to use the territory of the northern States as a base of operations for this purpose.

Only the early conclusion of peace in the North, which occurred contrary to their wishes, hindered them from putting this resolution into effect at that time. If English and French statesmen subsequently declared that they would have made the carrying out of this intention dependent upon the concurrence of the Scandinavian States, that is a gross untruth. The Reich Government has documentary proof in its possession, showing that England and France had together decided if necessary to carry out the action through the territories of the Northern States even against their will.

The decisive factor is, however, the following:

From the attitude of the French and the English Governments before and after the conclusion of the Soviet-Finnish Peace, and from the documentary evidence actually in the hands of the Reich Government, there is indisputable proof that the decision to assist Finland against Russia should over and above that serve to aid further plans.

The further aim of England and France in Scandinavia was and primarily is:

1. By the occupation of Narvik to cut off Germany from her one supply route in the North.

2. In the landing of English and French fighting forces in Scandinavian countries to establish a new front in order to attack Germany's flank from the North.

In this way the northern countries would serve as a theatre of war of the English and French forces, whilst the northern people in accordance with an age-long English tradition, would be allotted the role of auxiliary and mercenary troops.

As by reason of the conclusion of the Finnish Russian peace, this plan was frustrated. It then became even clearer to the Reich Government that England and France were making decisive endeavours immediately to realize and develop their plans in a different way.

With the urgent necessity of preparing an intervention in the North, in recent weeks the English and French Governments openly proclaimed the thesis that there could be no neutrality in this war, and it was the duty of small countries actively to take part in the war against Germany. This thesis was prepared for by propaganda from the Western Powers, supported by ever-increasing political pressure on the neutral countries. Concrete reports regarding forthcoming endeavours of the Western Powers to land in Scandinavia accumulated recently more and more. If there ever was the slightest doubt regarding the definite decision of the Western Powers to intervene in the North, it has finally been removed during the last few days.

The Reich Government has in its possession conclusive evidence that England and France intended to effect a surprise occupation of certain territories in the northern countries within the next few days.

The northern countries have on their side not only not offered any resistance to these encroachments by England and France but have even tolerated without taking any counter measures the greatest encroachments on their sovereign rights.

The Reich Government must, consequently, assume that the Royal Norwegian Government will adopt the same attitude towards the preparations and fulfillment of plans of action now intended by England and France. But even if the Royal Norwegian Government had intended to take countermeasures, the Reich Government was quite certain that the Norwegian military forces would not be sufficient to be able to oppose the English-French actions successfully.

In this decisive phase of the fight for existence forced on the German people by England and France, the Reich Government can in no circumstances tolerate that Scandinavia should be made the theatre of war against Germany by the Western Powers, and the Norwegian people, whether directly or indirectly, misused in a war against Germany.

Germany does not intend to await idly or to put up with such a realization of the opponents' plans. The Reich Government therefore has today begun certain military operations, which will lead to the occupation of strategically important points on Norwegian territory. The Reich Government therewith undertakes the protection of the Kingdom of Norway for the duration of the war. It has resolved, from now on, to protect peace in the North with all its power against any English-French attack, and finally to assure it.

The Reich Government did not wish for this development. England and France alone bear the responsibility. Both States proclaim quite hypocritically the protection of small countries. In reality, however, they offer violence to these (smaller countries) in the hope thereby to be able to realize their will to destroy, directed against Germany and daily more openly announced.

The German troops therefore do not set foot on Norwegian soil as enemies. The German High Command does not intend to make use of the points occupied by German troops as bases for operations against England, as long as it is not forced to do so by measures taken by England and France. German military operations aim much more exclusively at protecting the North against the proposed occupation of Norwegian strongpoints by English-French forces.

The Reich Government is convinced that by this action it is at the same time serving Norway's interests. For this protection the German Wehrmacht offers the Scandinavian peoples the only guarantee that during this war their countries will not become a field of battle or a theatre of perhaps most terrible engagements.

The Reich Government thus expects that the Royal Norwegian Government and the Norwegian people will respond with understanding to the German measures and offer no resistance to it. Any resistance would have to be and would be broken by all possible means by the German Forces employed and would therefore lead only to absolutely useless bloodshed. The Royal Norwegian Government is therefore requested to take all measures with the greatest speed to ensure that the advance of the German troops can take place without friction and difficulties.

In the spirit of the good German-Norwegian relations that have always existed, the Reich Government declares to the Royal Norwegian Government that Germany has no intention of infringing by her measures the territorial integrity and political independence of the Kingdom of Norway now or in the future.

COPY OF DOCUMENT TC–56

GERMAN PLANS FOR THE INVASION OF NORWAY

From Reichsleiter Rosenberg's report to the Fuehrer on the activity of the Aussenpolitisches Amt of the NSDAP it appears clearly that the NSDAP since 1933 has been endeavoring to obtain influence in Norway and the other Scandinavian countries.

When the war broke out it was mainly the OKM that was of the opinion that it would be necessary to invade Norway in order to get control of the Norwegian coast. Already in September 1939 the SKL [Seekriegsleitung] prepared a plan for the invasion of Norway.

In the beginning of December 1939, Vidkun Quisling, who for some months had been in close contact with the Aussenpolitisches Amt of the NSDAP came to Berlin and alleged that England was preparing an attack on Norway with the tacit agreement of the Norwegian Government. Quisling's information supported the plans of Grossadmiral Raeder who evidently now managed to persuade Hitler to decide for the invasion of Norway.

The decision to invade Norway was thus taken in the middle of December 1939 and the planning was soon after started by a special staff [Donderstab] of the OKW. On the 19th Feb 1940, 2 days after the Altmark-incident on the Norwegian coast, General v. Falkenhorst was called to the Fuehrer, from whom he received orders to take command of the operations to be directed against Norway.

According to Generaloberst v. Falkenhorst's statement, Hitler gave the following reasons for the necessity of the attack:

a. to prevent a British strategic movement to the North which would threaten the North German coast

b. to obtain freedom of action for the German Navy

c. to keep open and defend the sea route along the Norwegian coast.

The Germans, considering the long lines of communications and the threat of the British Navy, clearly understood the necessity of complete surprise and speed in the attack. In order to paralyze the will of the Norwegian people to defend their country and at the same time to prevent allied intervention it was planned to capture all the more important towns along the coast simultaneously. Members of the Government and Parliament and other military and civilian people occupying important positions were to be arrested before organized resistance could be put into effect and the King was to be forced to form a new government with Quisling as the head.

In the early hours of the 9th April 1940, 7 cruisers, 14 destroyers and several torpedo boats and other small craft carrying advanced elements of 6 divisions totalling about 10,000 men forced an entry and landed troops in the outer Oslofjord, Kristiansand, Stavanger, Bergen, Trondheim and Narvik. A smaller number of troops were also landed at Arendal and Egersund on the southern coast. In addition airborne troops were landed at aerodromes near Oslo and Stavanger.

The German attack came as a surprise and all the invaded towns along the coast were captured according to plan with only slight losses. In the Oslofjord, however, the cruiser "Blucher", carrying General Engelbrecht and parts of his division, technical staffs and specialists who were to take over the control of Oslo, was sunk. The plan to capture the King and members of the Government and Parliament failed in spite of the surprise of the attack, resistance was organized throughout the country.

When the military resistance ceased 10th June 1940 the King and his Government were thus in a position to leave Norway and continue the war against Germany from outside the country.

It is hereby certified that this is a true copy of the original statement prepared by the C. in C. Royal Norwegian Forces on the 1st of October 1945.

Oslo, 3rd October 1945.
(signed) TRYGVE LIE
Foreign Minister.

TRANSLATION OF DOCUMENT TC-57

GERMAN ULTIMATUM (MEMORANDUM) TO BELGIUM AND DUTCH GOVERNMENTS OF MAY 9, 1940

[Documents of German Politics, (Dokumente der deutschen Politik), Part VIII, I, Pages 142–150.]

The Reich Government has for a long time had no doubts as to what was the chief aim of British and French war policy. It consists in the spreading of the war to other countries, and of the misuse of their peoples as auxiliary and mercenary troops for England and France.

The last attempt of this sort was the plan to occupy Scandinavia with the help of Norway, in order to set up a new front against Germany in this region. It was only Germany's last minute action which upset this project. Germany has furnished documentary evidence of this before the eyes of the world.

Immediately after the British-French action in Scandinavia miscarried, England and France took up their policy of war expansion in another direction. In this respect, while the retreat in flight of the British troops from Norway was still going on, the English Prime Minister announced that, as a result of the altered situation in Scandinavia, England was once more in a position to go ahead with the transfer of the full weight of her navy to the Mediterranean, and that English and French units were already on the way to Alexandria. The Mediterranean now became the centre of English-French war propaganda. This was partly to gloss over the Scandinavian defeat and the big loss of prestige before their own people and before the world, and partly to make it appear that the Balkans had been chosen for the next theatre of war against Germany.

In reality, however, this apparent shifting to the Mediterranean of English-French war policy had quite another purpose. It was nothing but a diversion manoeuvre in grand style to deceive Germany as to the direction of the next English-French attack. For, as the Reich Government has long been aware, the true aim of England and France is the carefully prepared and now immediately imminent attack on Germany in the West, so as advance through Belgium and Holland to the region of the Ruhr.

Germany has recognized and respected the inviolability of Belgium and Holland, it being of course understood that these two countries in the event of a war of Germany against England and France would maintain the strictest neutrality.

Belgium and the Netherlands have not fulfilled this condition. They have attempted hitherto to maintain outward appearance of neutrality, but in practice both countries have shown a one-sided partiality for Germany's opponents and have furthered their designs.

On the basis of the evidence before them and particularly of the attached reports from the Ministry of the Interior of the 20th March 1940 and the German High Command of the 4th May 1940, the German Government establish the following:

1.

Since the outbreak of war the Belgian and the Netherlands Press have even surpassed the English and French papers in their hostile expressions of opinion regarding Germany. This attitude in spite of continuous remonstrances by the German State, they have not altered up to date.

In addition to this, leading personalities in the public life of the two countries have in the last few months on an ever-increasing scale expressed the opinion that the place of Belgium and the Netherlands is at the side of England and France. Many other occurrences in the political and economic life of Belgium and the Netherlands stress this tendency further.

2.

The Netherlands, in association with Belgian authorities have, most flagrantly infringing their most primitive neutrality obligations, lent themselves to supporting the attempts of the British Secret Intelligence Service to bring about a Revolution in Germany. The organization, founded on Belgian and Netherlands soil by the Secret Intelligence Service, and enjoying the most widespread support by Netherlands and Belgian quarters even in the highest circles of the civil Service and the General Staff, had no other aim than the removal of the Fuehrer and the German Government, by all and every means, and the setting up of a Government in Germany willing to bring about the dissolution of the unity of the Reich and to assent to the formation of a powerless Federal German State.

3.

The measures taken by the Royal Belgian and the Royal Netherlands Governments in the military sphere speak even more clearly. They give irrefutable proof of the real intentions of Belgian and Netherlands policy. They are, further, in most decided contrast to all declarations made by the Royal Belgian and the Royal Netherlands Governments to the effect that they would with all their strength and on every hand prevent any use being made of their territory, either for the marching through of an army or as operational basis on land, on the sea or in the air.

4.

Thus, for example, Belgium has fortified exclusively her eastern frontier against Germany, whilst on her frontier facing France no fortifications have been constructed. Repeated urgent representations made by the German Government were indeed on each occasion replied to by the Royal Belgian Government with a promise that this state of affairs directed only against Germany would be remedied, but in practice nothing happened and all promises in this direction remained unfulfilled. On the contrary Belgium has until quite recently worked exclusively and unabatedly on the completion of her fortifications against Germany, whilst the western border of Belgium are open to Germany's enemies.

5.

A similarly open and exposed invasion gate-way for the British Air Force is the Netherlands coastal area.

The German Government has continually provided the Royal Netherlands Government with evidence of the infringements of Netherlands neutrality by British aircraft. Since the outbreak of the war British airmen have almost daily appeared over German territory coming from the direction of the Netherlands. One hundred and twenty-seven such British flights over Germany were verified, correct in every detail, and the Royal Netherlands Government were duly notified. Actually, however, the number is much greater, it amounts to many times over the number of the cases notified. Similarly, in all these further instances of flights there is no doubt about it but that the aircraft were British.

The great number of flights, and the fact that no effective counter measures were taken by the Royal Netherlands Government, clearly show that the Royal Air Force systematically used Netherlands territory as a starting point for their operations against Germany, with the knowledge and indulgence of the Royal Netherlands Government.

6.

Still more blatant evidence of the true Belgian and Netherlands attitude, however, are the strategic movements of the entire mobilized Belgian and Netherlands troops directed solely against Germany. Whereas at the beginning of September 1939, the Belgian and Netherlands troops were distributed fairly evenly on their frontiers, a short time afterwards, simultaneously with the increasingly closer cooperation between the Belgian and Netherlands General Staffs, and the General Staffs of England and France, the Western frontiers of these countries were completely stripped of troops, and the combined Belgian and Netherlands troops were concentrated on the eastern frontiers of both countries, with their fronts towards Germany.

7.

This massing of Belgian and Netherlands troops on the German frontier was undertaken at a time when Germany had no troop concentrations whatsoever on her frontiers with Belgium and the Netherlands, but when England and France, on the other hand, were forming a strong, mechanized invasion army on the Franco-Belgian border. In other words, Belgium and the Netherlands removed their own troops from these endangered Western boundaries to place them on the eastern boundaries, which were entirely free of German troops, at a time when their neutrality seemed increasingly threatened in the West by the attitude of England and France, and by the massing of English and French invasion troops, which would have given them every reason for strengthening their defenses there.

Only then did Germany take counter-measures, and then also placed troops on the Belgian and Netherlands borders. The Belgian and Netherlands General Staffs, however, by these sudden measures, contradictory in themselves to every military rule, exposed their true attitude. Their procedure can be understood, however, by the knowledge, that these measures were taken in the closest previous understanding with the English and French General Staffs, and that the Belgian and Netherlands troops never considered themselves to be anything but the vanguard of the English and French invasion army.

Evidence in the hands of the German Government shows that English and French preparations on Belgian and Netherlands territory for attack against Germany are already far advanced.

Thus for some time already, all obstacles on the Belgian border towards France which might hinder the entry of the English and French invasion army have been secretly removed. Airfields in Belgium and the Netherlands have been reconnoitered by English and French officers and extensions effected. Belgium has made transport facilities available at the frontier and recently advance parties of HQ personnel and units of the French and English invasion army have arrived in various parts of Belgium and the Netherlands. These facts, together with further information which has accumulated in the last few days, furnish conclusive proof that the English and French attack against Germany is imminent, and that this attack will be directed against the Ruhr through Belgium and the Netherlands.

The picture of the Belgian and Netherlands attitude, as presented by these indisputable facts, is clear and unequivocal. Both countries, from the outbreak of war, contrary to the statements given out by their governments, secretly placed themselves on the side of England and France, and thus of the powers which had decided to attack Germany and had declared war on her. Although the situation was pointed out to the Belgian Foreign Minister in all seriousness several times from German quarters, it did not make the slightest difference.

On the contrary, the Belgian Defense Minister recently made a public declaration in the Belgian Chamber which unequivocally contained the admission that all steps necessary for joint action against Germany had been agreed upon between the General Staffs of Belgium, France and England. If, in spite of this, Belgium and the Netherlands continue to proclaim a foreign policy of independence and neutrality, it can, in the light of established facts, only be regarded as an attempt to conceal the real intentions of Belgian and Netherlands policy.

In this situation, the Reich Government can however, no longer doubt that Belgium and the Netherlands are resolved, not only to permit the impending Anglo-French attack, but to favor it in every way and that the agreements of the General Staffs of these two countries with the General Staffs are designed exclusively to serve this object. The argument put forward on the part of Belgium and the Netherlands that this is not their purpose, but that the very fact of their helplessness has forced them to adopt this attitude towards England and France, cannot be recognized as sound. Above all, it does not alter the facts of the situation for Germany.

In this struggle for existence forced upon the German people by England and France, the Reich Government is not disposed to await submissively the attack by England and France and to allow them to carry the war over Belgium and the Netherlands into German territory. It has therefore now issued the command to German troops to ensure the neutrality of these countries by all the military means at the disposal of the Reich.

The Reich Government add to this announcement the following:

The German troops do not come as enemies of the Belgian and Netherlands peoples; for the Reich Government have neither desired nor brought about this development. The responsibility for it falls upon England and France, who have prepared in every detail the attack against Germany from Belgian and Netherland territory, and on the Belgian and Netherlands Government departments who have allowed and favored it.

The Reich Government further declare that Germany has no intention of touching by these measures, either now or in the future, the sovereignty of the Kingdoms of Belgium and the Netherlands, nor the European or extra-European possessions of these countries.

The Royal Belgian and the Royal Netherlands Governments however, have it still in their hands in this last hour to ensure the well-being of their peoples, by seeing to it that no resistance is opposed to the German troops. The Reich Government hereby call upon these two Governments to issue without delay the necessary commands to this effect. Should the German troops meet with resistance in Belgium or in the Netherlands, they will use all means to overcome it. The responsibility for the consequences arising therefrom and for the bloodshed then unavoidable, will have to be borne exclusively by the Royal Belgian and the Royal Netherlands Governments.

Berlin, the 9th May 1940.

PARTIAL COPY OF DOCUMENT TC-58

BELGIUM—THE OFFICIAL ACCOUNT OF WHAT HAPPENED 1939-1940, pages 27-29.

From two o'clock in the morning, the Dutch wireless stations announced, time after time, that aeroplanes going from East to West were flying over various localities in the Netherlands. It was impossible to ascertain the importance and significance of this information, but all the signs pointed in the same direction. The Government decided there and then to introduce a state of siege and to arrest suspected persons in the Eastern provinces so as to prevent internal action against our lines of defense.

As the night wore on, there was a fairly long lull. When dawn was about to break, the peace of the capital had not been disturbed.

From 4.30 information was received which left no shadow of doubt: the hour had struck. Aircraft were first reported in the east. At five o'clock came news of the bombing of two Netherlands aerodromes, the violation of the Belgian frontier, the landing of German soldiers at the Eben-Emael Fort, the bombing of the Jemelle station.

While the Minister of National Defense was checking this information, Brussels was suddenly awakened to a radiant dawn at 5.17 a. m. by the mournful sound of the sirens, and soon the windows of the Ministry of Foreign Affairs, where the chief members of the Government were still assembled, were shaken by the firing of antiaircraft artillery and German bombs dropped on the Evere aerodrome and on several parts of the town.

It was at once decided to appeal to Belgium's guarantors, and this was done.

At 8.30 the German Ambassador came to the Ministry of Foreign Affairs. When he entered the Minister's room, he began to take a paper from his pocket. M. Spaak stopped him: "I beg your pardon, Mr. Ambassador. I will speak first." And in an indignant voice, he read the Belgian Government's protest: "Mr. Ambassador, the German Army has just attacked our country. This is the second time in twenty-five years that Germany has committed a criminal aggression against a neutral and loyal Belgium. What has just happened is perhaps even more odious than the aggression of 1914. No ultimatum, no note, no protest of any kind has ever been placed before the Belgian Government. It is through the attack itself that Belgium has learned that Germany has violated the undertakings given by her on October 13th, 1937, and renewed spontaneously at the beginning of the war. The act of aggression committed by Germany, for which there is no justification whatever, will deeply shock the conscience of the world. The German Reich will be held responsible by history. Belgium is resolved to defend herself. Her cause, which is the cause of Right, cannot be vanquished."

The Ambassador was then able to read the note he had brought: "I am instructed by the Government of the Reich," he said, "to make the following declaration: In order to forestall the invasion of Belgium, Holland, and Luxemburg, for which Great Britain and France have been making preparations clearly aimed at Germany, the Government of the Reich is compelled to ensure the neutrality of the three countries mentioned by means of arms.

For this purpose, the Government of the Reich will bring up an armed force of the greatest size, so that resistance of any kind will be useless. The Government of the Reich guarantees Belgium's European and colonial territory, as well as her dynasty, on condition that no resistance is offered. Should there be any resistance, Belgium will risk the destruction of her country and the loss of her independence. It is therefore in the interests of Belgium that the population be called upon to cease all resistance and that the authorities be given the necessary instructions to make contact with the German Military Command."

In the middle of this communication, M. Spaak, who had by his side the Secretary-General of the Department, interrupted the Ambassador: "Hand me the document," he said. "I should like to spare you so painful a task." After studying the note, M. Spaak confined himself to pointing out that he had already replied by the protest he had just made.

TRANSLATION OF DOCUMENT TC–58–A

SECRET INSTRUCTION TO THE COMMANDER OF THE 2ND LUFTFLOTTE FOUND IN A GERMAN AEROPLANE ON JANUARY 10TH, 1940

[The following documents were in possession of a Staff Major of the 7th Air Division (parachutist and transport of troops by air—Headquarters at Berlin) who made a forced landing in Belgium on January 10th, 1940. The Major had been attached to Unit, 220 of Troop Transport by Air (F1.F.220) and, when captured, was flying to Cologne to discuss the scheme at the 22nd Infantry Division headquarters. Our British Intelligence had ascertained the 22nd Division as specially trained for landing from the air in enemy territory.]

[DOCUMENT I]

Air Force Command Instructions, 2..................................
File of 17/11/39 to be destroyed(?)..................................
pp. the Commander-in-Chief of the Air Force
The Chief of Staff
by order

(Signature undecipherable)
Lieutenant-Colonel, General Staff.

To:	Copy No.
IV Aviation Corps	1
VIII Aviation Corps	2
7 Aviation Division	3

Commander of Air Carrier No. 220 and to 22nd Infantry Division	4
II Anti-Aircraft Defense Corps	5
Headquarters of VI Air Region	6
Headquarters of XI Air Region	7
Reconnaissance Group No. 122	8
For the information of	
GHQ of Air Force	9
B Group of Armies	10
Also to the Air Command	11
Liaison Officers at B Group of Armies	12
Army Headquarters, No. 6	13
Air Force Command	14
Staff:	
Staff-Commander	15
Chief of Staff	16
Deputy Chief of Staff	17
Intelligence Section	18
Operations Section No. 2	19
A.Q.	20
Officer in Charge of Signals	21
Operations Section No. 1	22
Reserve	23 & 24

British Army here [?] * * * between Douai and Calais. Behind the whole of this zone important operative reserves are held deep in Northern France.

The Belgian Army covers the Liege-Antwerp line with its main force, lighter forces are in position in front on the Meuse-Scheldt Canal and on the frontier.

Only light forces of the Dutch Army are in position south of the Waal.

For weather conditions and information about the enemy: see I c 1 No. 7212/39 Chief of General Staff of 3/11/39.

3. The German Western Army directs its attack between the North Sea and the Moselle, with the strongest possible air-force support, through the Belgo-Luxemburg region, with the object of * * * the largest possible groups of the French Army and of its * * *.

The fortress of Liege and * * * surround (?) * * *

Further, it is intended with the help of part of the force (10th Army Corps reinforced by 1 Cavalry Division), to seize Dutch territory, with the exception of Festung, Holland.

5. Composition of Army Group B: see Appendix 2.

6. Cooperating Forces:

(*a*) The 3rd Luftflotte attacks, with all the weight of its aircraft, the French Air Force on the ground, and prevents it from taking part in land operations.

Later, it prevents the advance of the French Armies moving Northeast from their concentration areas.

The 3rd Luftflotte cooperates also with its Northern Wing (1st Aviation Corps) with Army Group B.

(*b*) The X Aviation Corps, directly under order from Air Force Headquarters, operates in close co-operation with the naval forces and the F.d Luft against the enemy naval forces and in particular, against the British naval forces.

Its reserves and * * *.

With regard to home defenses against air attack, the chief object is to protect the ground and war industries organization.

8. *Forces.* Disposition of the troops and points to be attacked —see Appendix 1.

9. *Reconnaissance.*

(*a*) Air General Headquarters: reconnaissance to the west of the line Le Havre-Orleans-Bourges-Lyon-Geneva.

(*b*) 2nd Luftflotte: reconnaissance by Reconnaissance Group 122 to the northwest and west of the line Western Frisian Isles-Amsterdam-Antwerp-Brussels-Nivelles (islands and towns included).

TASK.

(*a*) Find out the disposition of the enemy Air Force in Northern France and Belgium.

(*b*) Watch the areas where the British Army is concentrated, detect as quickly as possible any movements from that area towards Belgium in the direction of Brussels-Ghent.

Left Boundry * * *.
Liege-Charleroi-Valenciennes-Amiens-Dieppe.
(These towns included)

(*f*) Crossing of the frontier by reconnaissance planes first on the day A at H plus 5 minutes.

10. *TASK OF THE VIII AVIATION CORPS:*

On the first day of the attack, the VIII Aviation Corps supports with part of its forces a landing operation on the VII Aviation Division (see special order).

Closely cooperating with the 6th Army (main action to the West of Maastricht), it supports the advance of the land forces attacking the fortified line and the streams of the basin of the Meuse and destroys the Belgian Army to the West of that region. Attack against towns and villages during the course of these operations are only permitted if it is absolutely certain that they are occupied by troops.

Its fighter squadrons have to obtain command of the air over the area of attack of the 6th Army.

[DOCUMENT 2]

APPRECIATION OF THE SITUATION

1. *TERRAIN.*

On either side of the Meuse a high plateau with heights rising to * * * m. Very uneven, in places great differences in height, ravines.

Clayey ground, medium heavy to heavy. Only sparsely [?] populated. The operational area of the Division is on the whole thickly wooded.

The Meuse itself constitutes a marked cleft, deeply cut out. Width of river 100m. Banks rising steeply and mainly wooded. Observation very difficult.

Parachute troops can be dropped everywhere in * * * the bridges.

Airborne troops can only be landed at points 15 km. west of the Meuse on the line Vitrival, M * * *, Posee.

The country is similar in many respects to that of Freuden * * * and troop movements * * * not very mobile will be hindered. On the other hand, it lends itself to defense by groups * * * widely separated.

2. *LANDING GROUNDS.*

Five landing grounds have been reconnoitered. Of these, three are suitable in mild weather (I, III, V), two are suitable only under certain conditions (II, IV). In frosty weather all are suitable. On the whole some * * * 30 percent bad landing conditions as for "Enterprise" [?].

The whole of the landing troops of the division can be engaged.

Time required: Parachuting and landing of the 1st [?] Division * * *a slight frost gives most favorable conditions * * * reducing as much as possible the jump * * * troops.

3. At the cutting of the Meuse, the Division should * * * (objective) * * * and keep open * * *.

Road Bridge of Annevoie.

Road bridge Yvoir (here point of main action).

Bridge Dinant-Namur (northwest * * *).

If the country between the Meuse and the French frontier up to * * * should not be occupied by enemy troops, the landing would at first be unopposed. The landing grounds to the North can, it is true, be shelled by the heavy guns at Namur (15 km) if they should be discovered.

However, enemy attacks from the fortress of Namur must be expected very soon, and also perhaps from Charleroi, Philippeville and Givet.

The chief threat to the division is the arrival of mobile French troops from the line Maubeuge-Hinson-Fumay (40 km), whose advance units can be on the spot in a very short time.

5. This is why it is essential that, from the beginning of the landing operation, large forces of our bomber aircraft should be engaged against enemy concentration on the line Maubeuge. * * * Fumay against troops and transport moving from that line:

(*a*) on the road Mons-Charleroi (especially important);

(*b*) on the road Maubeuge-Beaumont-Philippeville (specially important);

(*c*) road Philippeville-Givet;

(*d*) road Foumies-Chimay-Couvin-Givet;

(*e*) road Rocroi-Mariembourg-Philippeville-Florennes;

(*f*) road Rocroi-Fumay-Givet-towards * * * Dinant (specially important);

(*g*) railway Mons-Charleroi * * * (important);

(*h*) railway Maubeuge * * *;

(*i*) railway Charleroi * * * (specially important);

(*k*) railway PQ * * *;

(*l*) railway * * * Hastiere * * *;

(*m*) Then, for the protection of the Division * * * road Marche-Leignon-Ach * * *;

(*n*) road Ciney-Evrehailles.

The area where bombing by our own aircraft is forbidden is bounded by: road Riviere-Florette—to a line 4 km South of the Sambre railway [?] Chatelet through Gerpinnes, Florennes, up to road Philippeville-Dinant (this railway is outside the forbidden zone straight [?] line from the level crossing up to Hermeton (this village outside the zone)—the Meuse up to the Anseremme bridge (bridge included in the zone)—line 4 km east of the Meuse up to Riviere.

6. Up and down movement of troops can best take place—south of Liege—at right angles to the frontier toward the Meuse through Malmedy-Ciney, i.e. by the shortest route in enemy territory.

In the given weather conditions, any detour would only cause inconvenience.

Antiaircraft defence is insignificant here. On the other hand very strong opposition from enemy fighters must be expected (chiefly French fighters).

The landing and fighting zone of the Division lies also * * * of many French aerodromes. French and British aviation groups also stationed more to the west fly, on their way to the front near * * *.

The intervention of the Division with more than 600 tons of transport planes and at this spot where the effect will be most felt by the enemy decides the chief point of concentration of enemy aircraft.

The Division is threatened more from the air than from the ground. This is why heavy fighter and fighter aircraft formations are necessary:

(*a*) for the transport, the parachuting and finally the landing (* * * very strong protection);

(*b*) supplies;

(*c*) against enemy air attacks (continuously * * * and not only according to special orders).

In this case this protection should be incessant * * * movement and landing. Greater needs in heavy fighters and * * * G * * *.

To satisfy this need * * * fighting area should only be 110 km from the frontier [?] * * * and should only imply 200 km flight over enemy territory * * *.

[DOCUMENT 3]

* * * Namur and the immediate vicinity * * * (21 Art.) and light forces Ard. * * * between Ourthe (here point of main attack) (* * * point) and the Meuse * * * 2 Cavalry Divisions.

At Charleroi 3rd Regiment of Gendarmerie.

French forces * * * are concentrated on the frontier * * * ready to march (to the west of the Meuse). * * * Army and parts of the 2nd Army with mechanized cavalry and infantry Divisions. Forward elements in the Givet wedge. To the east of the Meuse positions are in the course of construction along the railway line Namur-Assesse-Ciney-Jemelle.

2. The Meuse itself is only defended by light forces stationed at the bridges. On the Meuse between Namur and the frontier no permanent fortifications. Special preparations for demolition and blocking are not known here but are likely.

The region between the Meuse and the French frontier to the west and to the southwest is entirely free from enemy troops.

3. It must be expected that the hostile Walloon populations will wage guerrilla warfare (sharp-shooting from the houses and hedges).

4. The possibility of requisitioning (in order to enable the troops to move rapidly and to keep supplied) should only be considered with reservations owing to the sparsely populated nature of the region.

5. Defense against enemy aircraft in the area of operations of the 7th Air Division (Fl.Div.7).

In the operational area Namur-Dinant and in the neighboring region no fighters nor antiaircraft defense have been detected so far.

Antiaircraft guns * * * assumed at Charleroi.

Fighters.

At St. Hubert—1 Squadron of single-seaters, only at intervals.
Liege—1 group of single-seaters.
Nivelles—1 group of single-seaters.

Besides important concentrations of French fighters in Ra * * * Verdun.

* * * * * * *

Grandmenil (33 km West St. Vith) at intervals.

North of Huy, light anti-aircraft guns.

At St. Hubert heavy anti-aircraft guns at intervals.

(s) Student.

This copy certified correct.

PUTTNER [?]
Major, General Staff.

COPY OF DOCUMENT TC–59

TEXT OF THE PROTEST COMMUNICATED BY THE BELGIAN GOVERNMENT TO THE FOREIGN GOVERNMENTS FOLLOWING UPON THE GERMAN AGGRESSION OF MAY 10th 1940

Although Germany has not declared war, the German Army has just crossed the frontier of the Kingdom of Belgium and has attacked the Belgian Army with considerable forces. All the facts and all the documents in the possession of the Belgian Government prove that the aggression was premeditated. No complaint was brought to its notice before the act of aggression. Moreover, there was nothing in the relations between the two countries, for the most part good, to suggest that a conflict was likely to arise. The Belgian Government protests against this outrage. It points out that for the second time in twenty-five years Belgium has been the victim of an aggression by Germany. In its declaration of October 13th, 1937, the German Government solemnly confirmed its determination in no circumstances to impair the inviolability and integrity of Belgium and stated that "it will at all times respect Belgian territory, except, of course, in the event of Belgium's taking part in a military action directed against Germany in an armed conflict in which Germany is involved", declaring that it was prepared to assist Belgium should she be subjected to an attack or to invasion. On August 26th, in a spontaneous declaration, the German Government solemnly renewed its undertaking of October 13th, 1937. Since making the Declaration in 1937, Germany has on many occasions paid tribute to the correctness of the attitude maintained by Belgium. Public opinion is unanimous in recognizing that the Belgian Government has done everything in its power to avert the scourge of war which threatened Europe. On the eve of the European War, the King of the Belgians, in conjunction with the Heads of other States, and more particularly with Her Majesty the Queen of the Netherlands, took steps to avert the danger. It is sufficient to recall the appeal made from Brussels on August 23rd 1939, on behalf of the Heads of the States of the Oslo Group and the offer of good offices on the 29th of the same month. A further offer of good offices was made on November 7th by the Queen of the Netherlands and the King of the Belgians, with a view to facilitating enquiry into points on which agreement could be reached. During the conflict, Belgium has always observed strict and scrupulous neutrality. She was attacked suddenly at dawn. The aggression was consummated when the Government appealed to the guarantor Powers. Just as in August 1914, Germany violated Belgian neutrality which she has guaranteed in virtue of the treaties of April 19th, 1839, so to-day she has attacked Belgium in contravention of an undertaking contracted in 1937 and renewed in 1939, the validity of which is not open to question. As in 1914, an act of aggression against a neutral State, while not justified in itself, is made worse by the violation of undertakings that had been entered into. This new outrage will deeply shock the conscience of the world. The German Reich will be held responsible by history for the sufferings which this act of aggression will inflict on the Belgian people. Belgium has never accepted servitude. She will suffer her ordeal courageously. The Belgian Army will defend Belgian national territory with all its force, with the help of Belgium's guarantors, who will not fail to fulfill their promises.

TRANSLATION OF DOCUMENT TC-60

MEMORANDUM FROM THE GERMAN GOVERNMENT TO THE LUXEMBOURG GOVERNMENT, DATED 9th. MAY 1940

[Documents of German Politics, (Dokumente der deutschen Politik), Part VIII, I, Pages 150-151]

The Reich Government has been reliably informed that England and France, in the course of their policy of spreading the war, have decided to attack Germany in the near future through Belgian and Dutch territory. Belgium and the Netherlands who, long since secretly violating their neutrality, have taken the side of the enemies of Germany, not only do not intend to prevent this attack but to favour it. The facts which go to prove this have been stated in detail in a memorandum which is being handed to the Royal Belgian Government and the Royal Government of the Netherlands a copy of which is enclosed herewith.

In defense against the imminent attack, the German troops have now received the order to safeguard the neutrality of these two countries with all the power at the disposal of the Reich.

The offensive, decided upon by England and France with the consent of Belgium and the Netherlands will also involve the territory of Luxembourg. To repulse the attack the Reich Government has therefore been forced to extend its military operations to Luxembourg territory also.

It has been known to the Grand Ducal Government of Luxembourg that the Reich was prepared to respect the neutrality and integrity of Luxembourg, provided that the other powers which are neighbours of the Grand Duchy would also take the same attitude. Negotiations for agreements to that effect between the powers concerned, which seemed to be almost completed in the summer of 1939, were then broken off by France. This breaking off of the negotiations by France finds its explanation in the military decisions now taken by her together with the other enemies of Germany, an explanation which does not need any further illustration.

The Reich Government expects the Grand-Ducal Government of Luxembourg to take account of the position created solely by the guilt of Germany's enemies, and to take all the necessary measures to prevent the Luxembourg population causing difficulties to the German military operations. The Reich Government, on its part, gives the assurance to the Grand-Ducal Government of Luxembourg that Germany has no intention, now or in the future, to interfere with the territorial integrity or political independence of the Grand Duchy.

TRANSLATION OF DOCUMENT TC-62

DECLARATION OF WAR BY GERMANY ON USA, 11 DECEMBER 1941

[Documents of German Politics (Dokumente der deutschen Politik), Part IV, I, Page 497.]

Note of the 11th December 1941 from the Reich Foreign Minister von Ribbentrop to the United States Chargé d'Affaires in Berlin, Legation Counsellor Morris.

Sir,

After the Government of the United States of America had, from the very beginning of the European war brought about by the British Declaration of war on Germany on the 3rd September 1939, most flagrantly and to an ever increasing extent violated all the rules of neutrality in favour of Germany's enemies, and after it had been continuously guilty of the worst type of provocations against Germany, it has finally gone over to open military acts of aggression.

On the 11th September 1941, the President of the United States of America publicly announced that he had ordered the American fleet and air force to shoot at every German warship without hesitation. In his speech of the 27th October of this year he once again expressly confirmed that this order was now in operation.

On the strength of this order, American warships have been systematically attacking German naval forces since the beginning of September of this year. Thus, American destroyers, for instance the "Greer", the "Kearney" and the "Reuben James" have opened fire on German U-boats according to plan. The Secretary of State of the American Navy, Mr. Knox, himself confirmed that American destroyers had been attacking German U-boats.

Further, naval forces of the United States of America, acting upon the orders of their Government, have, in violation of international law, treated German merchant ships on the open seas as enemy ships, and have taken them as prizes.

The Government of the Reich therefore declares:

Although Germany for her part has always strictly observed the rules of international law in her dealings with the United States of America throughout the whole of the present war, the Government of the United States of America has finally gone over from breaches of neutrality in the beginning to open acts of war against Germany. It has, therefore, virtually created a state of war.

The Reich Government therefore breaks all diplomatic relations with the United States of America, and declares that under these circumstances brought about by President Roosevelt, Germany too considers herself to be at war with the United States of America as from today.

PARTIAL TRANSLATION OF DOCUMENT TC–70

HITLER'S SPEECH OF 30 JANUARY 1934 CONCERNING AGREEMENT WITH POLAND

[Voelkischer Beobachter, 31 January 1934.]

For this reason and with these intentions the German Government has endeavoured in its first year to secure a new and better relationship with the Polish State.

When I took over the government on 30 January, the relations between the two countries seemed to me more than unsatisfactory. There was a danger that the existing differences, which were due to the territorial clauses of the Treaty of Versailles and the mutual tension resulting therefrom, would gradually crystallize into a state of hostility which if persisted in might only too easily acquire the character of a dangerous traditional enmity.

Apart from its latent dangers such a development would constitute a permanent obstacle to the profitable cooperation of the two peoples. Germans and Poles will have to learn to accept the fact of each other's existence. Hence it is more sensible to regulate this state of affairs which the last thousand years has not been able to remove and the next thousand will not be able to remove either, in such a way that the highest possible profit will accrue from it for both nations.

It seemed to me further necessary to show from a concrete example that admittedly existing differences cannot be allowed to interfere with a form of mutual intercourse which shall promote the peace and prosperity of both nations, in contrast to the political and economic paralysis which must inevitably result from a permanent state of mutual distrust.

Further, it seemed to me right in such a case to attempt to deal with the problems affecting both countries by means of a frank and open exchange of views between the two parties rather than to go on entrusting third and fourth parties with this task. Moreover, whatever the differences between the two countries in the future may be, the catastrophic effects of the attempt to remove them through warlike actions would far outweigh any possible advantage gained.

Thus the German Government was fortunate in finding the same generous attitude in the leader of the present Polish State, Marshal Pilsudski, and in being able to incorporate this mutual recognition of the situation in a treaty which will not only be of equal advantage to the Polish and German peoples, but which also represents an important contribution to the maintenance of world peace.

In the spirit of this treaty the German Government is willing and prepared to cultivate economic relations with Poland in such a way that here too the state of unprofitable suspicion can be succeeded by a period of useful cooperation.

It is a matter of particular satisfaction to us that in this same year the National Socialist Government of Danzig has been enabled to effect a similar clarification of its relations with its Polish neighbour.

COPY OF DOCUMENT TC-71

REPORTS OF THE BRITISH CONSUL IN DANZIG

Further Correspondence Respecting Poland

No. 1

(C 9225/54/18)

Consul-General Shepherd to Viscount Halifax—(Received July 1.)

(No. 72.) (Telegraphic.)

Danzig, July 1, 1939.

MY telegram No. 71.

Yesterday morning four German army officers in mufti arrived here by night express from Berlin to organize Danzig Heimwehr.

2. All approaches to hills and dismantled fort, which constitute a popular public promenade on western fringe of the city, have been closed with barbed wire and "verboten" notices.

3. The walls surrounding the shipyards bear placards: "Comrades keep your mouths shut lest you regret consequence".

4. Master of British steamer "High Commissioner Wood",

whilst he was roving Koenigsberg from 28th June to 30th June, observed considerable military activity, including extensive shipment of camouflaged covered lorries and similar material by small coasting vessels. On 28th June four medium-sized steamers loaded with troops, lorries, field kitchens, etc., left Koenigsberg, ostensibly returning to Hamburg after manoeuvres, but actually proceeding to Stettin. Names of steamers were "Hohenhorn", with heavy derricks, each capable of lifting about 50 tons, "Scharhorn", "Tilsit" and "Utlandhorn", all modern, well-equipped vessels, each about 5,000 tons gross. Please inform Admiralty.

No. 8

(C 9561/54/18.)

Consul-General Shepherd to Viscount Halifax.—(Received July 8.)

Danzig, July 6, 1939

(No. 17. Saving.)

Warsaw telegram No. 206.

I learn from a reliable source that for several nights past light (believed be antitank) guns have been smuggled into Danzig from Koenigsberg in German shallow draught naval lighters via Frisches Haff, Vistula-Haff Canal, Vistula, Dead Vistula and Holm Island, whence they were transferred to Schichau shipyard for distribution by road, and that in the early hours of 2nd July light tanks were smuggled in by the same route, but landed on south bank of Dead Vistula opposite Bohnsack, whence they were removed on lorries. On the night of 30th June a considerable number of closely covered grey lorries passed this consulate-general singly, but at short intervals apart, coming from direction of Schichau shipyard (paragraph 2 of my telegram No. 71) and proceeding in that of barracks referred to in paragraph 4 of my telegram No. 71 and of hills referred to in paragraph 2 of my telegram No. 72.

2. On afternoon of 1st July local newspapers announced that band and some officers of second West Prussian Field Artillery Regiment, No. 36, would arrive that evening from Leting for ceremonies the following day in honour of regiment associated with Danzig. On 2nd July the visitors paraded through the streets wearing swords. I asked one of the counsellors at Polish Commissariat-General whether permission had been obtained for this procedure, and, if not, whether it was not irregular (your telegram No. 205 to Warsaw, paragraph 3, sentence 2), but he

professed to be uncertain on both points. So far as I am aware, the Poles have refrained from protesting to the Senate about the recent militaristic activities here. This attitude has given rise to impression in some (notably French) circles here that in the last resort the Poles will acquiesce in returning the Free City to Germany.

3. Danzig students are being required to spend their summer holidays patrolling frontier, learning and teaching motor cycling, etc.

4. Arrival of horses, referred to in paragraph 1 of telegram No. 71, at barracks was resumed on 5th July and hay is delivered there daily.

5. A German who yesterday enquired whether, in view of all recent activities here, it would be wise for him to send his wife and baby to his parents in Memel was told by counsellor in the foreign section of the Senate that, although last days of June and first days of July had been very critical for Danzig, it was believed, barring accidents, the remainder of July should be reasonably calm. This seems to confirm the opinion expressed in last paragraph of my telegram No. 71 that both Danzig and Polish activities are at present defensive, but Danzigers feared that the Poles might launch a surprise attack during recent smuggling of considerable quantities of munitions into the free city.

6. So far as can at present be foreseen, it seems that no serious development need be anticipated before August.

7. I learn from a reliable source that concrete gun mountings are being constructed along the coast between Kefahrwasser and Neufahr, and that three about 4.7-in. calibre with long recoils, have already been mounted at Quellberg. Tracks made in bringing guns from Durchbruch are clearly visible.

(C 9745/54/18)

No. 11

Consul-General Shepherd to Viscount Halifax.

(Received July 12.)

(By Bag.)

(No. 20. Saving.) (Telegraphic.) En clair

Danzig, July 10, 1939.

MY telegram No. 17, Saving, paragraph 7.

The same informant, whom I believe to be reliable, advises me that on 8th July he personally saw about thirty military lorries with East Prussian license numbers on the Bischofsberg, where numerous field kitchens had been placed along the hedges. There were also eight large antiaircraft guns in position, which he estimated as being of over 3-inch calibre, and three six-barrelled light antiaircraft machine guns. There were about 500 men drilling with rifles, and the whole place is extensively fortified with barbed wire.

After seeing the above-mentioned antiaircraft guns at close range, my informant is of the opinion that the three guns which he saw from a great distance at Quellberg were also antiaircraft. The other guns along the coast he believes to be naval guns.

A member of this consulate-general personally saw heavy machine guns with ammunition being openly unloaded in the middle of the day at the police station situated in a street running at the back of this consulate-general. On 10th he also saw forty-three bell tents at the foot of the Quellberg and seventeen between Ostliche Neufahr and Bohnsack, and a lorry with SA men and one quick-firing antiaircraft gun (single barrel) on the ferry crossing from Danzig to Bohnsack.

(C 10491/54/19)

No. 31

Consul-General Shepherd to Viscount Halifax.

(Received July 25.)

(No. 98.) (Telegraphic.)

Danzig, July 25, 1939.

Herr Forster informed High Commissioner yesterday that Danzig question could, if necessary, wait a year or more, and said that military precautions now being taken would be liquidated in the middle of September.

2. Meanwhile, there is increasing amount of horse and motor transport visible, and frequent reports reach me of men being called up and of arrival of men and material from East Prussia. While I cannot at present confirm these (group omitted), it would be unwise to ignore them. There are numerous warehouses and other buildings in Danzig where material could be stored and men housed.

3. I learn that a certain Major-General Eberhard is now in command here.

(Repeated to Berlin, No. 35, and Warsaw, No. 52.)

HITLER'S SPEECH TO THE REICHSTAG ON APRIL 28, 1939

[British Blue Book on German-Polish Relations]

There is little to be said as regards German-Polish relations. Here, too, the Peace Treaty of Versailles—of course intentionally—inflicted a most severe wound on Germany. The strange way in which the Corridor giving Poland access to the sea was marked out was meant, above all, to prevent for all time the establishment of an understanding between Poland and Germany. This problem is—as I have already stressed—perhaps the most painful of all problems for Germany. Nevertheless, I have never ceased to uphold the view that the necessity of a free access to the sea for the Polish State cannot be ignored, and that as a general principle, valid for this case, too, nations which Providence has destined or, if you like, condemned to live side by side would be well advised not to make life still harder for each other artificially and unnecessarily. The late Marshal Pilsudski, who was of the same opinion, was therefore prepared to go into the question of clarifying the atmosphere of German-Polish relations, and, finally, to conclude an agreement whereby Germany and Poland expressed their intention of renouncing war altogether as a means of settling the questions which concerned them both. This agreement contained one single exception which was in practice conceded to Poland. It was laid down that the pacts of mutual assistance already entered into by Poland—this applied to the pact with France—should not be affected by the agreement. But it was obvious that this could apply only to the pact of mutual assistance already concluded beforehand, and not to whatever new pacts might be concluded in the future. It is a fact that the German-Polish Agreement resulted in a remarkable lessening of the European tension. Nevertheless, there remained one open question between Germany and Poland, which sooner or later quite naturally had to be solved—the question of the German city of Danzig. Danzig is a German city and wishes to belong to Germany. On the other hand, this city has contracts with Poland, which were admittedly forced upon it by the dictators of the Peace of Versailles. But since, moreover, the League of Nations, formerly the greatest stirrer-up of trouble, is now represented by a High Commissioner—incidentally a man of extraordinary tact—the problem of Danzig must in any case come up for discussion, at the latest with the gradual extinction of this calamitous institution. I regarded the peaceful settlement of this problem as a further contribution to a final loosening of the European tension. For this loosening of the tension is assuredly not to be achieved through the agitations of insane warmongers, but through the removal of the real elements of danger. After the problem of Danzig had already been discussed several times some months ago, I made a concrete offer to the Polish Government. I now make this offer known to you, Gentlemen, and you yourselves will judge whether this offer did not represent the greatest imaginable concession in the interests of European peace. As I have already pointed out, I have always seen the necessity of an access to the sea for this country, and have consequently taken this necessity into consideration. I am no democratic statesman, but a National Socialist and a realist.

I considered it, however, necessary to make it clear to the Government in Warsaw that just as they desire access to the sea, so Germany needs access to her province in the east. Now these are all difficult problems. It is not Germany who is responsible for them, however, but rather the jugglers of Versailles, who either in their maliciousness or their thoughtlessness placed 100 powder barrels round about in Europe, all equipped with hardly extinguishable lighted fuses. These problems cannot be solved according to old-fashioned ideas; I think, rather, that we should adopt new methods. Poland's access to the sea by way of the Corridor, and, on the other hand, a German route through the Corridor have, for example, no kind of military importance whatsoever. Their importance is exclusively psychological and economic. To accord military importance to a traffic route of this kind, would be to show oneself completely ignorant of military affairs. Consequently, I have had the following proposal submitted to the Polish Government:

(1) Danzig returns as a Free State into the framework of the German Reich.
(2) Germany receives a route through the Corridor and a railway line at her own disposal possessing the same extra-territorial status for Germany as the Corridor itself has for Poland.

In return, Germany is prepared:

(1) To recognize all Polish economic rights in Danzig.
(2) To ensure for Poland a free harbour in Danzig of any size desired which would have completely free access to the sea.
(3) To accept at the same time the present boundaries between Germany and Poland and to regard them as ultimate.

(4) To conclude a twenty-five year nonaggression treaty with Poland, a treaty therefore which would extend far beyond the duration of my own life.

(5) To guarantee the independence of the Slovak State by Germany, Poland and Hungary jointly—which means in practice the renunciation of any unilateral German hegemony in this territory.

The Polish Government have rejected my offer and have only declared that they are prepared (1) to negotiate concerning the question of a substitute for the Commissioner of the League of Nations and (2) to consider facilities for the transit traffic through the Corridor.

I have regretted greatly this incomprehensible attitude of the Polish Government, but that alone is not the decisive fact; the worst is that now Poland, like Czecho-Slovakia a year ago, believes, under the pressure of a lying international campaign, that it must call up troops, although Germany on her part has not called up a single man and had not thought of proceeding in any way against Poland. As I have said, this is in itself very regretable and posterity will one day decide whether it was really right to refuse this suggestion made this once by me. This—as I have said—was an endeavor on my part to solve a question which intimately affects the German people by a truly unique compromise and to solve it to the advantage of both countries. According to my conviction Poland was not a giving party in this solution at all but only a receiving party, because it should be beyond all doubt that Danzig will never become Polish. The intention to attack on the part of Germany, which was merely invented by the international press, led as you know to the so-called guarantee offer and to an obligation on the part of the Polish Government for mutual assistance, which would also, under certain circumstances, compel Poland to take military action against Germany in the event of a conflict between Germany and any other Power and in which England, in her turn, would be involved. This obligation is contradictory to the agreement which I made with Marshal Pilsudski some time ago, seeing that this agreement reference is made exclusively to existing obligations that is at that time, namely, to the obligations of Poland towards France of which we were aware. To extend these obligations subsequently is contrary to the terms of the German-Polish nonaggression pact. Under these circumstances I should not have entered into this pact at that time, because what sense can nonaggression pacts have if one partner in practice leaves open an enormous number of exceptions.

There is either collective security, that is collective insecurity and continuous danger of war, or clear agreements which, however, exclude fundamentally any use of arms between the contracting parties. I therefore look upon the agreement which Marshal Pilsudski and I at one time concluded as having been unilaterally infringed by Poland and thereby no longer in existence!

I have sent a communication to this effect to the Polish Government. However, I can only repeat at this point that my decision does not constitute a modification of my attitude in principle with regard to the problems mentioned above. Should the Polish Government wish to come to fresh contractual arrangements governing its relations with Germany, I can but welcome such an idea, provided, of course, that these arrangements are based on an absolutely clear obligation binding both parties in equal measure. Germany is perfectly willing at any time to undertake such obligations and also to fulfill them.

PARTIAL COPY OF DOCUMENT TC–72 No. 14

GERMAN GOVERNMENT MEMORANDUM HANDED TO THE POLISH GOVERNMENT ON APRIL 28, 1939

[British Blue Book on German-Polish Relations]

The German Government have taken note of the Polish-British declaration regarding the progress and aims of the negotiations recently conducted between Poland and Great Britain. According to this declaration there has been concluded between the Polish Government and the British Government a temporary understanding, to be replaced shortly by a permanent agreement which will provide for the giving of mutual assistance by Poland and Great Britain in the event of the independence of one of the two States being directly or indirectly threatened.

2. The German Government consider themselves obliged to communicate the following to the Polish Government:

3. When in 1933 the National Socialist Government set about the reshaping of German policy, after Germany's departure from the League of Nations, their first object was to stabilize German-Polish relations on a new plane. The Chancellor of the German Reich and the late Marshal Pilsudski concurred in the decision to break with the political methods of the past and to enter, as regards the settlement of all questions affecting both States, on the path of direct understanding between them.

4. By means of the unconditional renunciation of the use of force, guarantees of peace were instituted in order to assist the

two States in the difficult task of solving all political, economic and cultural problems by means of the just and equitable adjustment of mutual interests. These principles, contained in a binding form in the German-Polish Peace Declaration of the 26th January, 1934, had this aim in view [sic] and by their practical success were intended to introduce an entirely new phase of German-Polish relations. The political history of the last five years shows that they proved efficacious in practice for both nations. As recently as the 26th January of this year, on the fifth anniversary of the signature of the declaration, both sides publicly confirmed this fact, while emphasizing their united will to maintain in the future their adhesion to the principles established in 1934.

5. The agreement which has now been concluded by the Polish Government with the British Government is in such obvious contradiction to these solemn declarations of a few months ago that the German Government can take note only with surprise and astonishment of such a violent reversal of Polish policy. Irrespective of the manner in which its final formulation may be determined by both parties, the new Polish-British Agreement is intended as a regular pact of alliance, which by reason of its general sense and of the present state of political relations is directed exclusively against Germany. From the obligation now accepted by the Polish Government it appears that Poland intends in certain circumstances to take an active part in any possible German-British conflict in the event of aggression against Germany, even should this conflict not affect Poland and her interests. This is a direct and open blow against the renunciation of all use of force contained in the 1934 declaration.

6. The contradiction between the German-Polish Declaration and the Polish-British Agreement is, however, even more far-reaching in its importance than that. The 1934 declaration was to constitute a basis for the regulation of all differences arising between the two countries, independently of international complications and combinations, by means of direct discussion between Berlin and Warsaw, to the exclusion of external influences. Naturally, such a basis must rest on the mutual confidence of both parties and on the political loyalty of the intentions of one party with regard to the other.

7. The Polish Government, however, by their recent decision to accede to an alliance directed against Germany, have given it to be understood that they prefer a promise of help by a third

Power to the direct guarantee of peace by the German Government. In view of this the German Government are obliged to conclude that the Polish Government do not at present attach any importance to seeking a solution of German-Polish problems by means of direct friendly discussions with the German Government. The Polish Government have thus abandoned the path traced out in 1934 for the shaping of German-Polish relations.

8. The Polish Government cannot in this connection appeal to the fact that the 1934 declaration was not to affect the obligations previously accepted by Poland and Germany in relation to third parties, and that the Treaty of Alliance between Poland and France maintained its value side by side with that declaration. The Polish-French Alliance already existed in 1934 when Poland and Germany proceeded to reorganize their relations. The German Government were able to accept this fact, since they were entitled to expect that the possible dangers of the Polish-French Alliance, dating from the period of the most acute German-Polish differences, would automatically lose more and more of their significance through the establishment of friendly relations between Germany and Poland. However, the entry of Poland into relations of alliance with Great Britain, which was effected five years after the publication of the declaration of 1934, can for this reason in no way be compared politically with the still valid Polish-French Alliance. By this new alliance the Polish Government have subordinated themselves to a policy inaugurated from another quarter aiming at the encirclement of Germany.

9. The German Government for their part have not given the least cause for such a change in Polish policy. Whenever opportunity offered, they have furnished the Polish Government, both publicly and in confidential conversations, with the most binding assurances that the friendly development of German-Polish relations is a fundamental aim of their foreign policy, and that, in their political decisions, they will always respect Poland's proper interests. Thus the action taken by Germany in March of this year with a view to the pacification of Central Europe did not, in the opinion of the Government of the Reich, disturb Polish interests in any way. This action led to the creation of a common Polish-Hungarian frontier, which had constantly been described on Poland's side as an important political objective. Moreover, the German Government gave unequivocal expression to their readiness to discuss with the Polish Government in a friendly manner all problems which, in the Polish Government's

opinion, might arise out of the changed conditions in Central Europe.

10. In an equally friendly spirit the German Government tried to regulate yet another question outstanding between Germany and Poland, namely, that of Danzig. The fact that this question required settlement had long been emphasized on the German side, and was not denied on the Polish side. For a long time past the German Government have endeavoured to convince the Polish Government that a solution was certainly possible which would be equitable to the interests of both parties and that the removal of this last obstacle would open a path for a political collaboration of Germany and Poland with the most favourable prospects. In this connection the German Government did not confine themselves to allusions of a general nature, but in March of this year proposed to the Polish Government in a friendly form a settlement of this question on the following basis:

11. The return of Danzig to the Reich. An extra-territorial railway line and *autostrada* between East Prussia and the Reich. In exchange, the recognition by the Reich of the whole Polish Corridor and the whole of Poland's Western frontier; the conclusion of a nonaggression pact for twenty-five years; the maintenance of Poland's economic interests in Danzig and the settlement of the remaining economic and communications problems arising for Poland out of the union of Danzig with the Reich. At the same time, the German Government expressed their readiness to respect Polish interests in ensuring the independence of Slovakia.

12. Nobody knowing conditions in Danzig and the Corridor and the problems connected therewith can deny, in judging the matter objectively, that this proposal constitutes the very minimum which must be demanded from the point of view of German interests, which cannot be renounced. The Polish Government, however, gave a reply which, although couched in the form of counter-proposals, showed in its essence an entire lack of comprehension for the German point of view and was equivalent merely to a rejection of the German proposals. The Polish Government proved that they did not consider their reply suitable for the initiation of friendly discussions by proceeding at the same time, in a manner as unexpected as it was drastic, to effect a partial mobilization of the Polish army on a large scale. By these entirely unjustified measures the Polish Government demonstrated the meaning and object of the negotiations which they immediately afterwards entered upon with the British Govern-

ment. The German Government do not consider it necessary to reply to the partial Polish mobilization by counter-measures of a military character. They cannot, however, disregard without a word the decisions recently taken by the Polish Government, and are forced, to their own regret, to declare as follows:

(1) The Polish Government did not avail themselves of the opportunity offered to them by the German Government for a just settlement of the Danzig question, for the final safeguarding of Poland's frontiers with the Reich, and thereby for a permanent strengthening of the friendly neighbourly relations between the two countries. The Polish Government even rejected German proposals made with this object.

(2) At the same time the Polish Government accepted, with regard to another State, political obligations which are not compatible either with the spirit, the meaning or the text of the German-Polish Declaration of the 26th January 1934. Thereby the Polish Government arbitrarily and unilaterally rendered this declaration null and void.

13. In spite of this necessary statement of fact, the Government of the Reich do not intend to alter their fundamental attitude towards the question of the future of German-Polish relations. Should the Polish Government attach importance to a new settlement of these relations by means of a treaty, the German Government are ready to do this, but on one condition, namely, that such a settlement would have to consist of a clear obligation binding on both parties.

PARTIAL COPY OF DOCUMENT TC-72 No. 16

MEMORANDUM COMMUNICATED TO THE GERMAN GOVERNMENT BY THE POLISH GOVERNMENT ON MAY 5, 1939, IN REPLY TO THE GERMAN GOVERNMENT MEMORANDUM OF APRIL 28, 1939.

[British Blue Book on German-Polish Relations]

As appears from the text of the Polish-German Declaration of the 26th January, 1934, and from the course of the negotiations which preceded its conclusion, this declaration had as its object to lay the foundations for a new framing of mutual relations based on the following two principles:

(*a*) The renunciation of the use of force as between Poland and Germany, and

(*b*) The friendly settlement by means of free negotiations of any contentious questions which might arise in the relations between the two countries.

The Polish Government have always understood in this manner their obligations under the declaration, and it is in this spirit that they have always been prepared to conduct neighbourly relations with the German Reich.

2. The Polish Government had foreseen for several years that the difficulties encountered by the League of Nations in carrying out its functions at Danzig would create a confused situation which it was in Poland's and Germany's interest to unravel. For several years the Polish Government had given the German Government to understand that frank conversations should be held on this subject. The German Government, however, avoided these and confined themselves to stating that Polish-German relations should not be exposed to difficulties by questions relating to Danzig. Moreover, the German Government more than once gave assurances to the Polish Government regarding the Free City of Danzig. It is sufficient here to quote the declaration made by the Chancellor of the Reich on the 20th February 1938.

The Chancellor made publicly in the Reichstag the following declaration regarding Danzig:

> The Polish State respects the National conditions in this State, and the Free City and Germany respect Polish rights. It has thus been possible to clear the way for an understanding which, while arising out of the question of Danzig, has to-day in spite of the efforts of certain disturbers of the peace succeeded in effectively clarifying relations between Germany and Poland and has transformed them into sincere and friendly collaboration.

It was only after the events of September, 1938, that the German Government suggested the opening of Polish-German conversations regarding the alteration in the situation in Danzig and regarding the transit routes between the Reich and East Prussia. In this connection the German memorandum of the 28th April, 1939, refers to the suggestion put forward by the Reich Minister for Foreign Affairs in his conversation of the 21st March, 1939, with the Polish Ambassador in Berlin. In this conversation emphasis was laid on the German side on the necessity for a rapid settlement of those questions which was a condition of the Reich maintaining its proposals in force in their entirety. The Polish Government, animated by the desire to maintain good relations with the Reich, although surprised at the pressing form in which these proposals were put forward, and by the circumstances in which they were advanced, did not refuse conversations although they considered the German demands thus couched to be unacceptable.

In order to facilitate endeavours to reach an amicable solution of the question, the Polish Government on the 26th March 1939, formulated their point of view in writing to the German Government, stating that they attached full importance to the maintenance of good neighbourly relations with the German Reich. The Polish point of view was summarized in the following points:

(*a*) The Polish Government propose a joint guarantee by Poland and Germany of the separate character of the Free City of Danzig, the existence of which was to be based on complete freedom of the local population in internal affairs and on the assurance of respect for Polish rights and interests.

(*b*) The Polish Government were prepared to examine together with the German Government any further simplifications for persons in transit as well as the technical facilitating of railway and motor transit between the German Reich and East Prussia. The Polish Government were inspired by the idea of giving every possible facility which would permit the citizens of the Reich to travel in transit across the Polish territory, if possible without any hindrances. The Polish Government emphasized that their intention was to secure the most liberal treatment possible of the German desiderata in this respect with the sole reservation that Poland could not give up her sovereignty over the belt of territory through which the transit routes would run. Finally, the Polish Government indicated that their attitude in the question of facilitating communications across Pomerania depended on the attitude of the Reich regarding the Free City of Danzig.

In formulating the above proposals the Polish Government acted in the spirit of the Polish-German Declaration of 1934 which, by providing the direct exchanges of views on questions of interest to both countries authorized each State to formulate its point of view in the court of negotiations.

The Polish Government received no formal reply to their counter-proposals for a month, and it was only on the 28th April, 1939, that they learnt from the Chancellor's speech and from the German Government's memorandum that the mere fact of the formulation of counter-proposals instead of the acceptance of the verbal German suggestions without alteration or reservation had been regarded by the Reich as a refusal of discussions.

It is clear that negotiations in which one State formulates demands and the other is to be obliged to accept those demands unaltered are not negotiations in the spirit of the declaration of 1934 and are incompatible with the vital interests and dignity of Poland.

In this connection it should be pointed out that the Polish Government were unable at that time to express an opinion regarding the Polish-German-Hungarian guarantee of the independence of

Slovakia which was alluded to in a general way in the German memorandum and more precisely stated in the Chancellor's speech of the 28th April, 1939, since a proposal of this description and in this form had never been made to them before. It is, moreover, difficult to imagine how such guarantee could be reconciled with the political and military protectorate of the Reich over Slovakia which had been announced a few days previously before the German Reich formulated its proposals towards Poland.

3. The Polish Government cannot accept such an interpretation of the declaration of 1934 as would be equivalent to a renunciation of the right to conclude political agreements with third States and consequently, almost a renunciation of independence in foreign policy. The Policy of the German Reich in recent years has clearly indicated that the German Government have not drawn conclusions of this sort from the declaration as far as they themselves were concerned. The obligations publicly accepted by the Reich towards Italy and the German-Slovak Agreement of March, 1939, are clear indications of such an interpretation by the German Government of the declaration of 1934. The Polish Government must here recall that in their relations with other States they give and require full reciprocity as being the only possible foundation of normal relations between States.

The Polish Government reject as completely without foundation all accusations regarding the alleged incompatibility of the Anglo-Polish Mutual Guarantee of April, 1939, with the Polish-German Declaration of 1934. This guarantee has a purely defensive character and in no way threatens the German Reich, in the same way as the Polish-French Alliance, whose compatibility with the Declaration of 1934 has been recognized by the German Reich. The declaration of 1934 in its introductory paragraphs clearly stated that both Governments have "decided to base their mutual relations on the principles laid down in the Pact of Paris of the 27th August, 1928." Now the Pact of Paris, which constituted a general renunciation of war as an instrument of national policy, just as the declaration of 1934 constituted such renunciation in bilateral Polish-German relations, contained the explicit reservation that "any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this treaty". Germany accepted this principle in signing the Pact of Paris and re-affirmed it in the declaration of 1934, together with other principles of the Pact of Paris. It appears from this that the declaration of 1934 would cease to be binding on Poland should Germany have recourse to war in violation of the Pact of Paris. Poland's obligations arising out of the Polish-British understanding would come into operation in the event of German action threatening the independence of Great Britain, and, consequently, in the very circumstances in which the declaration of 1934 and the Pact of Paris had ceased to be binding on Poland as regards Germany.

The German Government in making a complaint against the Polish Government for undertaking obligations to guarantee the independence of Great Britain and in regarding this as a violation by Poland of the declaration of 1934, ignore their own obligations toward Italy of which the Chancellor spoke on the 30th January, 1939, and in particular their obligations towards Slovakia contained in the agreement of the 18th and 23rd March, 1939. The German guarantees of Slovakia did not exclude Poland (*sic*), and, indeed, as appears from the provisions of the above agreement regarding the distribution of garrisons and military fortifications in Western Slovakia, were directed primarily against Poland.

4. It appears from the above that the Government of the German Reich had no justification for their unilateral decision to regard the declaration of 1934 as not binding. The Pact was, indeed, concluded for ten years without any possibility of denunciation during that time. It should be pointed out that the decision to regard the 1934 Declaration as not binding took place after the previous refusal of the German State to accept explanations as to the compatibility of the Anglo-Polish guarantee with the 1934 Declaration, which it was the intention of the Polish Government to furnish to the representative of the Reich in Warsaw.

5. Although the Polish Government do not share the view of the German Government that the treaty of 1934 has been violated by Poland nevertheless, should the German Government attach importance to the fresh regulation, by means of a treaty, of Polish-German relations on a good neighbourly basis, the Polish Government would be prepared to entertain suggestions of this kind with the reservation of their fundamental observations contained above in the present memorandum.

PARTIAL COPY OF DOCUMENT TC-72 No. 17

STATEMENT BY THE PRIME MINISTER IN THE HOUSE OF COMMONS ON MARCH 31, 1939

[British Blue Book on German-Polish Relations]

The Prime Minister (Mr. Chamberlain): The right hon. gentleman the leader of the Opposition asked me this morning whether I could make a statement as to the European situation. As I said this morning, His Majesty's Government have no official confirmation of the rumours of any projected attack on Poland and they must not, therefore, be taken as accepting them as true.

I am glad to take this opportunity of stating again the general policy of His Majesty's Government. They have constantly advocated the adjustment, by way of free negotiation between the parties concerned, of any differences that may arise between them. They consider that this is the natural and proper course where differences exist. In their opinion there should be no question incapable of solution by peaceful means, and they would see no justification for the substitution of force or threats of force for the method of negotiation.

As the House is aware, certain consultations are now proceeding with other Governments. In order to make perfectly clear the position of His Majesty's Government in the meantime before those consultations are concluded, I now have to inform the House that during that period, in the event of any action which clearly threatened Polish independence, and which the Polish Government accordingly considered it vital to resist with their national forces, His Majesty's Government would feel themselves bound at once to lend the Polish Government all support in their power. They have given the Polish Government an assurance to this effect.

I may add that the French Government have authorized me to make it plain that they stand in the same position in this matter as do His Majesty's Government.

PARTIAL COPY OF DOCUMENT TC-72 No. 18

ANGLO-POLISH COMMUNIQUE ISSUED ON APRIL 6, 1939

[British Blue Book on German-Polish Relations]

The conversations with M. Beck have covered a wide field and shown that the two Governments are in complete agreement upon certain general principles.

It was agreed that the two countries were prepared to enter into an agreement of a permanent and reciprocal character to replace the present temporary and unilateral assurance given by

His Majesty's Government to the Polish Government. Pending the completion of the permanent agreement, M. Beck gave His Majesty's Government an assurance that the Polish Government would consider themselves under an obligation to render assistance to His Majesty's Government under the same conditions as those contained in the temporary assurance already given by His Majesty's Government to Poland.

Like the temporary assurance, the permanent agreement would not be directed against any other country but would be designed to assure Great Britain and Poland of mutual assistance in the event of any threat, direct or indirect, to the independence of either. It was recognized that certain matters, including a more precise definition of the various ways in which the necessity for such assistance might arise, would require further examination before the permanent agreement could be completed.

It was understood that the arrangements above mentioned should not preclude either Government from making agreements with other countries in the general interest of the consolidation of Peace.

PARTIAL COPY OF DOCUMENT TC-72 No. 53

REPORT OF BRITISH AMBASSADOR, WARSAW

[British Blue Book on German-Polish Relations]

Sir H. Kennard to Viscount Halifax.

(Telegraphic) Warsaw, August 26, 1939.

Series of incidents again occurred yesterday on German frontier.

2. Polish patrol met party Germans 1 kilometer from East Prussian frontier near Pelta. Germans opened fire. Polish patrol replied, killing leader, whose body is being returned.

3. German bands also crossed Silesian frontier near Szczyglo, twice near Rybnik and twice elsewhere, firing shots and attacking blockhouses and customs posts with machine guns and hand grenades. Poles have protested vigorously to Berlin.

4. Gazeta Polska, an inspired leader to-day, says these are more than incidents. They are clearly prepared acts of aggression of para-military disciplined detachments supplied with regular army's arms, and in one case it was a regular army detachment. Attacks more or less continuous.

5. These incidents did not cause Poland to forsake calm and strong attitude of defense. Facts spoke for themselves and acts of aggression came from German side. This was best answer to ravings of German press.

6. Minister for Foreign Affairs state uniformed German detachment has since shot Pole across frontier and wounded another.

PARTIAL COPY OF DOCUMENT TC-72 No. 54

REPORT OF BRITISH AMBASSADOR, WARSAW
[British Blue Book on German-Polish Relations]

Sir H. Kennard to Viscount Halifax.

(Telegraphic) Warsaw, August 26, 1939.

Ministry for Foreign Affairs categorically deny story recounted by Herr Hitler to French Ambassador that twenty-four Germans were recently killed at Lodz and eight at Bielsko. Story is without any foundation whatever.

PARTIAL COPY OF DOCUMENT TC-72 No. 55

REPORT OF BRITISH AMBASSADOR, WARSAW
[British Blue Book on German-Polish Relations]

Sir H. Kennard to Viscount Halifax.

(Telegraphic) Warsaw, August 27, 1939.

So far as I can judge, German allegations of mass ill-treatment of German minority by Polish authorities are gross exaggeration, if not complete falsification.

2. There is no sign of any loss of control of situation by Polish civil authorities. Warsaw (and so far as I can ascertain the rest of Poland) is still completely calm.

3. Such allegations are reminiscent of Nazi propaganda methods regarding Czecho-Slovakia last year.

4. In any case it is purely and simply deliberate German provocation in accordance with fixed policy that has since March exacerbated feeling between the two nationalities. I suppose this has been done with object (*a*) creating war spirit in Germany, (*b*) impressing public opinion abroad, (*c*) provoking either defeatism or apparent aggression in Poland.

5. It has signally failed to achieve either of the two latter objects.

6. It is noteworthy that Danzig was hardly mentioned by Herr Hitler.

7. German treatment of Czech Jews and Polish minority is apparently negligible factor compared with alleged sufferings of Germans in Poland, where, be it noted, they do not amount to more than 10 per cent of population in any commune.

8. In face of these facts, it can hardly be doubted that, if Herr Hitler decided on war, it is for the sole purpose of destroying Polish independence.

9. I shall lose no opportunity of impressing on Minister for Foreign Affairs necessity of doing everything possible to prove that Herr Hitler's allegations regarding German minority are false.

PARTIAL COPY OF DOCUMENT TC-72 No. 56

LETTER OF AUGUST 22, 1939, FROM THE PRIME MINISTER TO THE GERMAN CHANCELLOR

[British Blue Book on German-Polish Relations]

10 Downing Street, Aug. 22, 39.

Your Excellency,

Your Excellency will have already heard of certain measures taken by His Majesty's Government, and announced in the press and on the wireless this evening.

These steps have, in the opinion of His Majesty's Government, been rendered necessary by the military movements which have been reported from Germany, and by the fact that apparently the announcement of a German-Soviet Agreement is taken in some quarters in Berlin to indicate that intervention by Great Britain on behalf of Poland is no longer a contingency that need be reckoned with. No greater mistake could be made. Whatever may prove to be the nature of the German-Soviet Agreement, it cannot alter Great Britain's obligation to Poland which His Majesty's Government have stated in public repeatedly and plainly, and which they are determined to fulfil.

It has been alleged that, if His Majesty's Government had made their position more clear in 1914, the great catastrophe would have been avoided. Whether or not there is any force in that allegation, His Majesty's Government are resolved that on this occasion there shall be no such tragic misunderstanding.

If the case should arise, they are resolved, and prepared, to employ without delay all the forces at their command, and it is impossible to foresee the end of hostilities once engaged. It would be a dangerous illusion to think that, if war once starts, it will come to an early end even if a success on any one of the several fronts on which it will be engaged should have been secured.

Having thus made our position perfectly clear, I wish to repeat to you my conviction that war between our two peoples would be the greatest calamity that could occur. I am certain that it is desired neither by our people, nor by yours, and I cannot see that there is anything in the questions arising between Germany and Poland which could not and should not be resolved without the use of force, if only a situation of confidence could be restored to enable discussions to be carried on in an atmosphere different from that which prevails to-day.

We have been, and at all times will be, ready to assist in creating conditions in which such negotiations could take place, and in which it might be possible concurrently to discuss the wider problems affecting the future of international relations, including matters of interest to us and to you.

The difficulties in the way of any peaceful discussion in the present state of tension are, however, obvious, and the longer that tension is maintained, the harder will it be for reason to prevail.

These difficulties, however, might be mitigated, if not removed, provided that there could for an initial period be a truce on both sides—to press polemics and to [end] all incitement.

If such a truce could be arranged, then, at the end of that period, during which steps could be taken to examine and deal with complaints made by either side as to the treatment of minorities, it is reasonable to hope that suitable conditions might have been established for direct negotiations between Germany and Poland upon the issues between them (with the aid of a neutral intermediary, if both sides should think that that would be helpful).

But I am bound to say that there would be slender hope of bringing such negotiations to successful issue unless it were understood beforehand that any settlement reached would, when concluded, be guaranteed by other Powers. His Majesty's Government would be ready, if desired, to make such contribution as they could to the effective operation of such guarantees.

At this moment I confess I can see no other way to avoid a catastrophe that will involve Europe in war.

In view of the grave consequences to humanity, which may follow from the action of their rulers, I trust that Your Excellency will weigh with the utmost deliberation the considerations which I have put before you.

Yours sincerely,

NEVILLE CHAMBERLAIN.

COMMUNICATION FROM THE GERMAN CHANCELLOR TO THE PRIME MINISTER, HANDED TO HIS MAJESTY'S AMBASSADOR ON AUGUST 23, 1939

[British Blue Book on German-Polish Relations]

Your Excellency,

The British Ambassador has just handed to me a communication in which your Excellency draws attention in the name of the British Government to a number of points which in your estimation are of the greatest importance.

I may be permitted to answer your letter as follows:

1. Germany has never sought conflict with England and has never interfered in English interests. On the contrary, she has for years endeavoured—although unfortunately in vain—to win England's friendship. On this account she voluntarily assumed in a wide area of Europe the limitations on her own interests which from a national-political point of view it would have otherwise been very difficult to tolerate.

2. The German Reich, however, like every other State possesses certain definite interests which it is impossible to renounce. These do not extend beyond the limits of the necessities laid down by former German history and deriving from vital economic prerequisites. Some of these questions held and still hold a significance both of a national-political and a phychological character which no German Government is able to ignore.

To these questions belong the German City of Danzig, and the connected problem of the Corridor. Numerous statesmen, historians and men of letters even in England have been conscious of this at any rate up to a few years ago. I would add that all of these territories lying in the aforesaid German sphere of interest and in particular those lands which returned to the Reich eighteen months ago received their cultural development at the hands not of the English but exclusively of the Germans and this, moreover, already from a time dating back over a thousand years.

3. Germany was prepared to settle the question of Danzig and of the Corridor by the method of negotiation on the basis of a proposal of truly unparalleled magnanimity. The allegations disseminated by England regarding a German mobilization against Poland, the assertion of aggressive designs towards Roumania, Hungary, &c., as well as the so-called guarantee declarations which were subsequently given had, however, dispelled Polish inclination to negotiate on a basis of this kind which would have been tolerable for Germany also.

4. The unconditional assurance given by England to Poland that she would render assistance to that country in all circumstances regardless of the causes from which a conflict might spring, could only be interpreted in that country as an encouragement thence-forward to unloosen, under cover of such a charter, a wave of appalling terrorism against the one and a half million German inhabitants living in Poland. The atrocities which since then have been taking place in that country are terrible for the victims, but intolerable for a Great Power such as the German Reich which is expected to remain a passive onlooker during these happenings. Poland has been guilty of numerous breaches of her legal obligations towards the Free City of Danzig, has made demands in the character of ultimata, and has initiated a process of economic strangulation.

5. The Government of the German Reich therefore recently caused the Polish Government to be informed that it was not prepared passively to accept this development of affairs, that it will not tolerate further addressing of notes in the character of ultimata to Danzig, that it will not tolerate a continuance of the persecution of the German minority, that it will equally not tolerate the extermination of the Free City of Danzig by economic measures, in other words, the destruction of the vital bases of the population of Danzig by a kind of Customs blockade, and that it will not tolerate the occurrence of further acts of provocation directed against the Reich. Apart from this, the questions of the Corridor and of Danzig must and shall be solved.

6. Your Excellency informs me in the name of the British Government that you will be obliged to render assistance to Poland in any such case of intervention on the part of Germany. I take note of this statement of yours and assure you that it can make no change in the determination of the Reich Government to safeguard the interests of the Reich as stated in paragraph 5 above. Your assurance to the effect that in such an event you anticipate a long war is shared by myself. Germany, if attacked by England, will be found prepared and determined. I have already more than once declared before the German people and the world that there can be no doubt concerning the determination of the new German Reich rather to accept, for however long it might be, every sort of misery and tribulation than to sacrifice its national interests, let alone its honour.

7. The German Reich Government has received information to the effect that the British Government has the intention to carry out measures of mobilization which, according to the statements contained in your own letter, are clearly directed against

Germany alone. This is said to be true of France as well. Since Germany has never had the intention of taking military measures other than those of a defensive character against England or France, and, as has already been emphasized, has never intended, and does not in the future intend, to attack England or France, it follows that this announcement as confirmed by you, Mr. Prime Minister, in your own letter, can only refer to a contemplated act of menace directed against the Reich. I therefore inform your Excellency that, in the event of these military announcements being carried into effect, I shall order immediate mobilization of the German forces.

8. The question of the treatment of European problems on a peaceful basis is not a decision which rests on Germany but primarily on those who since the crime committed by the Versailles dictate have stubbornly and consistently opposed any peaceful revision. Only after a change of spirit on the part of the responsible Powers can there be any real change in the relationship between England and Germany. I have all my life fought for Anglo-German friendship; the attitude adopted by British diplomacy—at any rate up to the present—has, however, convinced me of the futility of such an attempt. Should there be any change in this respect in the future nobody could be happier than I.

ADOLF HITLER.

PARTIAL COPY OF DOCUMENT TC-72 No. 62

BRITISH OFFICIAL REPORT, DANZIG 26 AUGUST 1939

[British Blue Book on German-Polish Relations]

Mr. F. M. Shepherd to Viscount Halifax.

(Telegraphic)

Danzig, August 26, 1939.

Following is translation of decree of Senate dated 23rd August:

Decree: Article 1. Gauleiter of Danzig is Head of State ['Staatsoberhaupt'] of the Free City of Danzig.

Article 2. This decree comes into force on 23rd August, 1939.

Following are translations of letters dated 24th August (*a*) from President of Senate to Herr Forster, and (*b*) of latter's reply:—

(*a*) At its meeting yesterday the Senate passed a resolution according to which you have been declared Staatsoberhaupt of the Free City of Danzig as from yesterday. A copy of the certified resolution is enclosed. In addition, a legal decree has been prepared today and signed making the above-mentioned resolution of the Senate operative. By means of these two acts of the Government the Danzig Constitution has been altered in the above-mentioned sense. The Senate has authorized me to request you, Herr Gauleiter, to accept this office forthwith in order in these difficult but wonderful last decisive days outwardly to give expression to the unity between party and State, which has so often been stressed and which inwardly has always existed.

(*b*) I have taken cognizance of the contents of your letter of the 24th instant and of the enclosed certified copy of the decree regarding the Staatsoberhaupt of the Free City of Danzig of 23rd August, 1939, and of the copy of the Senate's resolution of the 23rd August, 1939, which was also enclosed. It, of course, goes without saying that in my capacity as Leader of the N.S.D.A.P. of the Danzig district I am prepared in days which are so fateful for Danzig also to conduct the affairs of the State. With this decree promulgated on the 23rd August, 1939, a state of affairs is officially sanctioned which, since the accession to power by the National Socialists in 1933, has in practice been in force.

PARTIAL COPY OF DOCUMENT TC–72 No. 68

SUPPLEMENTARY COMMUNICATION FROM THE GERMAN CHANCELLOR HANDED TO HIS MAJESTY'S AMBASSADOR ON AUGUST 25, 1939.

[British Blue Book on German-Polish Relations]

The following is a translation of the text of a verbal communication made to Sir Neville Henderson by Herr Hitler at his interview on the 25th. August:—

By way of introduction the Fuehrer declared that the British Ambassador had given expression at the close of the last conversation to the hope that, after all, an understanding between Germany and England might yet be possible. He (the Fuehrer) had therefore turned things over in his mind once more and desired to make a move as regards England which should be as decisive as the move as regards Russia which had led to the recent agreement. Yesterday's sitting in the house of Commons and the speeches of Mr. Chamberlain and Lord Halifax had also moved the Fuehrer to talk once more to the British Ambassador. The assertion that Germany affected to conquer the world was ridiculous. The British Empire embraced 40 million square kilometres, Russia 19 million square kilometres, America 9½ million square kilometres, whereas Germany embraced less than 600,000 square kilometres. It is quite clear who it is who desires to conquer the world.

The Fuehrer makes the following communication to the British Ambassador:—

1. Poland's actual provocations have become intolerable. It makes no difference who is responsible. If the Polish Govern-

ment denies responsibility, that only goes to show that it no longer itself possesses any influence over its subordinate military authorities. In the preceding night there had been a further twenty-one new frontier incidents; on the German side the greatest discipline had been maintained. All incidents had been provoked from the Polish side. Furthermore, commercial aircraft had been shot at. If the Polish Government stated that it was not responsible, it showed that it was no longer capable of controlling its own people.

2. Germany was in all circumstances determined to abolish these Macedonian conditions on their Eastern frontier and, what is more, to do so in the interests of quiet and order, but also in the interests of European peace.

3. The problem of Danzig and the Corridor must be solved. The British Prime Minister had made a speech which was not in the least calculated to induce any change in the German attitude. At the most, the result of this speech could be a bloody and incalculable war between Germany and England. Such a war would be bloodier than that of 1914 to 1918. In contrast to the last war, Germany would no longer have to fight on two fronts. Agreement with Russia was unconditional and signified a change in foreign policy of the Reich which would last a very long time.

Russia and Germany would never again take up arms against each other. Apart from this, the agreements reached with Russia would also render Germany secure economically for the longest possible period of war.

The Fuehrer had always wanted an Anglo-German understanding. War between England and Germany could at the best bring some profit to Germany but none at all to England.

The Fuehrer declared that the German-Polish problem must be solved and will be solved. He is, however, prepared and determined after the solution of this problem to approach England once more with a large comprehensive offer. He is a man of great decisions, and in this case also he will be capable of being great in his action. He accepts the British Empire and is ready to pledge himself personally for its continued existence and to place the power of the German Reich at its disposal if—

(1) His colonial demands which are limited and can be negotiated by peaceful methods are fulfilled and in this case he is prepared to fix the longest time limits.

(2) His obligations towards Italy are not touched; in other words, he does not demand that England gives up her obligations towards France and similarly for his own part he cannot withdraw from his obligations towards Italy.

(3) He also desires to stress the irrevocable determination of Germany never again to enter into conflict with Russia. The Fuehrer is ready to conclude agreements with England which, as has already been emphasized, would not only guarantee the existence of the British Empire in all circumstances as

> far as Germany is concerned, but also if necessary an assurance to the British Empire of German assistance regardless of where such assistance should be necessary. The Fuehrer would then also be ready to accept a reasonable limitation of armaments which corresponds to the new political situation, and which is economically tolerable. Finally, the Fuehrer renewed his assurances that he is not interested in Western problems and that a frontier modification in the West does not enter into consideration. Western fortifications which have been constructed at a cost of milliards were final Reich frontier on the West.

If the British Government would consider these ideas a blessing for Germany and also for the British Empire might result. If it rejects these ideas there will be war. In no case would Great Britain emerge stronger; the last war proved this.

The Fuehrer repeats that he is a man of *ad infinitum* decisions by which he himself is bound and that this is his last offer. Immediately after solution of the German-Polish question he would approach the British Government with an offer.

PARTIAL COPY OF DOCUMENT TC–72 No. 74

REPLY OF HIS MAJESTY'S GOVERNMENT DATED AUGUST 28, 1939, TO THE GERMAN CHANCELLOR'S COMMUNICATIONS OF AUGUST 23 AND 25, 1939.

[British Blue Book on German-Polish Relations]

His Majesty's Government have received the message conveyed to them from the German Chancellor by His Majesty's Ambassador in Berlin, and have considered it with the care which it demands.

They note the Chancellor's expression of his desire to make friendship the basis of the relations between Germany and the British Empire and they fully share this desire. They believe with him that if a complete and lasting understanding between the two countries could be established it would bring untold blessings to both peoples.

2. The Chancellor's message deals with two groups of questions: those which are the matters now in dispute between Germany and Poland and those affecting the ultimate relations of Germany and Great Britain. In connection with these last, His Majesty's Government observe that the German Chancellor has indicated certain proposals which, subject to one condition, he would be prepared to make to the British Government for a general understanding. These proposals, are of course, stated in

very general form and would require closer definition, but His Majesty's Government are fully prepared to take them, with some additions, as subjects for discussion and they would be ready, if the differences between Germany and Poland are peacefully composed, to proceed so soon as practicable to such discussion with a sincere desire to reach agreement.

3. The Condition which the German Chancellor lays down is that there must first be a settlement of the differences between Germany and Poland. As to that, His Majesty's Government entirely agree. Everything, however, turns upon the nature of the settlement and the method by which it is to be reached. On these points, the importance of which cannot be absent from the Chancellor's mind, his message is silent, and His Majesty's Government feel compelled to point out that an understanding upon both of these is essential to achieving further progress.

The German Government will be aware that His Majesty's Government have obligations to Poland by which they are bound and which they intend to honour. They could not, for any advantage offered to Great Britain, acquiesce in a settlement which put in jeopardy the independence of a State to whom they have given their guarantee.

4. In the opinion of His Majesty's Government a reasonable solution of the differences between Germany and Poland could and should be effected by agreement between the two countries on lines which would include the safeguarding of Poland's essential interests, and they recall that in his speech of the 28th April last the German Chancellor recognized the importance of these interests to Poland.

But, as was stated by the Prime Minister in his letter to the German Chancellor of the 22nd August, His Majesty's Government consider it essential for the success of the discussions which would precede the agreement that it should be understood beforehand that any settlement arrived at would be guaranteed by other Powers. His Majesty's Government would be ready if desired to make their contribution to the effective operation of such a guarantee.

In view of His Majesty's Government it follows that the next step should be the initiation of direct discussions between the German and Polish Governments on a basis which would include the principles stated above, namely, the safeguarding of Poland's essential interests and the securing of the settlement by an international guarantee.

They have already received a definite assurance from the Polish Government that they are prepared to enter into discussions on this basis, and His Majesty's Government hope the German Government would for their part also be willing to agree to this course.

If, as His Majesty's Government hope, such discussion led to agreement the way would be open to the negotiation of that wider and more complete understanding between Great Britain and Germany which both countries desire.

5. His Majesty's Government agree with the German Chancellor that one of the principal dangers in the German Polish situation arises from the reports concerning the treatment of minorities. The present state of tension, with its concomitant frontier incidents, reports of maltreatment and inflammatory propaganda, is a constant danger to peace. It is manifestly a matter of the utmost urgency that all incidents of the kind should be promptly and rigidly suppressed and that verified reports should not be allowed to circulate, in order that time may be afforded, without provocation on either side, for a full examination of the possibilities of settlement. His Majesty's Government are confident that both the Governments concerned are fully alive to these considerations.

6. His Majesty's Government have said enough to make their own attitude plain in the particular matters at issue between Germany and Poland.

They trust that the German Chancellor will not think that, because His Majesty's Government are scrupulous concerning their obligations to Poland, they are not anxious to use all their influence to assist the achievements of a solution which may commend itself both to Germany and to Poland.

That such a settlement should be achieved seems to His Majesty's Government essential, not only for reasons directly arising in regard to the settlement itself, but also because of the wider considerations of which the German Chancellor has spoken with such conviction.

7. It is unnecessary in the present reply to stress the advantage of a peaceful settlement over a decision to settle the questions at issue by force of arms. The results of a decision to use force have been clearly set out in the Prime Minister's letter to the Chancellor of the 22nd August, and His Majesty's Government do not doubt that they are as fully recognized by the Chancellor as by themselves.

On the other hand, His Majesty's Government, noting with interest the German Chancellor's reference in the message now under consideration to a limitation of armaments, believe that, if a peaceful settlement can be obtained, the assistance of the world could confidently be anticipated for practical measures to enable the transition from preparation for war to the normal activities of peaceful trade to be safely and smoothly effected.

8. A just settlement of these questions between Germany and Poland may open the way to world peace. Failure to reach it would ruin the hopes of better understanding between Germany and Great Britain, would bring the two countries into conflict, and might well plunge the whole world into war. Such an outcome would be a calamity without parallel in history.

PARTIAL COPY OF DOCUMENT TC–72 No. 75

SIR N. HENDERSON TO VISCOUNT HALIFAX

[British Blue Book on German-Polish Relations]

Berlin, August 28 1939.

(Telegraphic—received 2.35 a.m. August 29).

I saw the Chancellor at 10.30 this evening. He asked me to come at 10 p.m., but I sent word that I could not have the translation ready before the later hour. Herr von Ribbentrop was present, also Dr. Schmidt. Interview lasted one and a quarter hours.

2. Herr Hitler began by reading the German translation. When he had finished, I said that I wished to make certain observations from notes which I had made in the conversations with the Prime Minister and His Majesty's Secretary of State for Foreign Affairs. In the first place I wished to say that we in England regarded it as absurd that Britain should be supposed by the German Government to consider the crushing of Germany as a settled policy. We held it to be no less astonishing that anyone in Germany should doubt for a moment that we would not fight for Poland if her independence or vital interests were menaced.

3. Our word was our word, and we had never and would never break it. In the old days Germany's word had the same value, and I quoted a passage from a German book (which Herr Hitler had read) about Marshal Bluecher's exhortation to his troops when hurrying to the support of Wellington at Waterloo: "Forward, my children, I have given my word to my brother Wellington, and you cannot wish me to break it."

4. Herr Hitler at once intervened to observe that things were different 125 years ago. I said not so far as England was concerned. He wanted, I said, Britain's friendship. What value would he place on our friendship if we began it by disloyalty to a

friend? Whatever some people might say, the British people sincerely desired an understanding with Germany, and no one more so than the Prime Minister (Herr von Ribbentrop remarked that Mr. Chamberlain had once said to him that it was his dearest wish). To-day the whole British public was behind the Prime Minister. The recent vote in the House of Commons was an unmistakable proof of that fact. The Prime Minister could carry through his policy of an understanding if, but only if, Herr Hitler were prepared to co-operate. There was absolutely no truth in the idea sometimes held in Germany that the British Cabinet was disunited or that the country was not unanimous. It was now or never, and it rested with Herr Hitler. If he was prepared to sacrifice that understanding in order to make war or immoderate demands on Poland, the responsibility was his. We offered friendship but only on the basis of a peaceful and freely negotiated solution of the Polish question.

5. Herr Hitler replied that he would be willing to negotiate, if there was a Polish Government which was prepared to be reasonable and which really controlled the country. He expiated on misdoings of the Poles, referred to his generous offer of March last, said that it could not be repeated and asserted that nothing else than the return of Danzig and the whole of the Corridor would satisfy him, together with a rectification in Silesia, where 90 per cent of the population had voted for Germany at the post-war plebiscite but where as a result of Haller-Korfanti coup, what the Plebiscite Commission had allotted had nevertheless been grabbed by Poland.

6. I told Herr Hitler that he must choose between England and Poland. If he put forward immoderate demands there was no hope of a peaceful solution. Corridor was inhabited almost entirely by Poles. Herr Hitler interrupted me here by observing that this was only true because a million Germans had been driven out of that district since the war. I again said the choice lay with him. He had offered a Corridor over the Corridor in March, and I must honestly tell him that anything more than that, if that, would have no hope of acceptance. I begged him very earnestly to reflect before raising his price. He said his original offer had been contemptuously refused and he would not make it again. I observed that it had been made in the form of a dictate and therein lay the whole difference.

7. Herr Hitler continued to argue that Poland could never be reasonable: she had England and France behind her, and imagined that even if she were beaten she would later recover, thanks to their help, more than she might lose. He spoke of an-

nihilating Poland. I said that reminded me of similar talk last year of annihilation of the Czechs. He retorted that we were incapable of inducing Poland to be reasonable. I said that it was just because we remembered the experience of Czechoslovakia last year that we hesitated to press Poland too far to-day. Nevertheless, we reserved to ourselves the right to form our own judgment as to what was or what was not reasonable so far as Poland or Germany was concerned. We kept our hands free in that respect.

8. Generally speaking, Herr Hitler kept harping on Poland, and I kept on just as consistently telling Herr Hitler that he had to choose between friendship with England which we offered him and excessive demands on Poland which would put an end to all hopes of British friendship. If we were to come to an understanding it would entail sacrifices on our part. If he was not prepared to make sacrifices on his part there was nothing here to be done. Herr Hitler said that he had to satisfy the demands of his people, his army was ready and eager for battle, his people were united behind him, and he could not tolerate further ill-treatment of Germans in Poland &c.

9. It is unnecessary to recall the details of a long and earnest conversation in the course of which the only occasion in which Herr Hitler became at all excited was when I observed that it was not a question of Danzig and the Corridor, but one of our determination to resist force by force. This evoked a tirade about the Rhineland, Austria and Sudeten and their peaceful reacquisition by Germany. He also resented my reference to 15th March.

10. In the end I asked him two straight questions. Was he willing to negotiate direct with the Poles and was he ready to discuss the question of an exchange of populations? He replied in the affirmative as regards the latter (though I have no doubt that he was thinking at the same time of a rectification of frontiers). As regards the first, he said he could not give me an answer until after he had given reply of His Majesty's Government the careful consideration which such a document deserved. In this connection he turned to Herr von Ribbentrop and said: "We must summon Field-Marshal Goering to discuss it with him."

11. I finally repeated to him very solemnly the main note of the whole conversation so far as I was concerned, namely, that it lay with him as to whether he preferred a unilateral solution which would mean war as regards Poland, or British

friendship. If he were prepared to pay the price of the latter by a generous gesture as regards Poland, he could at a stroke change in his favour the whole of public opinion not only in England but in the world. I left no doubt in his mind as to what the alternative would be, nor did he dispute the point.

12. At the end Herr von Ribbentrop asked me whether I could guarantee that the Prime Minister could carry the country with him in a policy of friendship with Germany. I said there was no possible doubt whatever that he could and would, provided Germany co-operated with him. Herr Hitler asked whether England would be willing to accept an alliance with Germany. I said, speaking personally, I did not exclude such a possibility provided the developments of events justified it.

13. Conversation was conducted in quite a friendly atmosphere, in spite of absolute firmness on both sides. Herr Hitler's general attitude was that he could give me no real reply until he had carefully studied the answer of His Majesty's Government. He said that he would give me a written reply tomorrow, Tuesday. I told him that I would await it, but was quite prepared to wait. Herr Hitler's answer was that there was no time to wait.

14. I did not refer to the question of a truce. I shall raise that point tomorrow if his answer affords any real ground for hope that he is prepared to abandon war for the sake of British friendship.

PARTIAL COPY OF DOCUMENT TC–72 No. 78

REPLY OF THE GERMAN CHANCELLOR TO THE COMMUNICATION OF AUGUST 28 1939, FROM HIS MAJESTY'S GOVERNMENT. (THIS REPLY WAS HANDED TO SIR N. HENDERSON BY HERR HITLER DURING THE EVENING OF AUGUST 29, 1939.

[British Blue Book on German-Polish Relations]

The British Ambassador in Berlin has submitted to the British Government suggestions which I felt bound to make in order—

(1) to give expression once more to the will of the Reich Government for sincere Anglo-German understanding, co-operation and friendship;

(2) to leave no room for doubt as to fact that such an understanding could not be bought at the price of

> renunciation of vital German interests, let alone the abandonment of demands which are based as much upon common human justice as upon the national dignity and honour of our people.

The German Government have noted with satisfaction from the reply of the British Government and from the oral explanations given by the British Ambassador that the British Government for their part are also prepared to improve relationship between Germany and England and to develop and extend it in the sense of the German suggestion.

In this connection, the British Government are similarly convinced that the removal of the German-Polish tension, which has become unbearable, is the pre-requisite for the realization of this hope.

Since the autumn of the past year, and on the last occasion in March, 1939, there were submitted to the British Government proposals, both oral and written, which, having regard to the friendship then existing between Germany and Poland, offered the possibility of a solution of the questions in dispute acceptable to both parties. The British Government are aware that the Polish Government saw fit, in March last, finally to reject these proposals. At the same time, they used this rejection as a pretext or an occasion for taking military measures which have since been continuously intensified. Already in the middle of last month Poland was in effect in a state of mobilization. This was accompanied by numerous encroachments in the Free City of Danzig due to the instigation of the Polish authorities; threatening demands in the nature of ultimata, varying only in degree, were addressed to the City. A closing of the frontiers, at first in the form of a measure of customs policy but extended later in a military sense affecting also traffic and communications, was imposed with the object of bringing about the political exhaustion and economic destruction of this German community.

To this were added barbaric actions of maltreatment which cry to Heaven, and other kinds of persecution of the large German national group in Poland which extended even to the killing of many resident Germans or to their forcible removal under the most cruel conditions. This state of affairs is unbearable for a Great Power. It has now forced Germany, after remaining a passive onlooker for many months, in her turn to take the necessary steps for the safeguarding of justified German interests. And indeed the German Government can but assure the British Government in the most solemn manner that a condition of affairs has now been reached which can no longer be accepted or observed with indifference.

The demands of the German Government are in conformity with the revision of the Versailles Treaty in regard to this territory which has always been recognized as being necessary: viz., return of Danzig and the Corridor to Germany, the safeguarding of the existence of the German national group in the territories remaining to Poland.

The German Government note with satisfaction that the British Government also are in principle convinced that some solution must be found for the new situation which has arisen.

They further feel justified in assuming that the British Government too can have no doubt that it is a question now of conditions, for the elimination of which there no longer remains days, still less weeks, but perhaps only hours. For in the disorganized state of affairs obtaining in Poland, the possibility of incidents intervening which it might be impossible for Germany to tolerate, must at any moment be reckoned with.

While the British Government may still believe that these grave differences can be resolved by way of direct negotiations, the German Government unfortunately can no longer share this view as a matter of course. For they have made the attempt to embark on such peaceful negotiations, but instead of receiving any support from the Polish Government, they were rebuffed by the sudden introduction of measures of a military character in favour of the development alluded to above.

The British Government attach importance to two considerations: (1) that the existing danger of an imminent explosion should be eliminated as quickly as possible by direct negotiation, and (2) that the existence of the Polish State, in the form in which it would then continue to exist, should be adequately safeguarded in the economic and political sphere by means of international guarantees.

On this subject the German Government makes the following declaration:—

Though sceptical as to the prospects of a successful outcome, they are nevertheless prepared to accept the English proposal and to enter into direct discussions. They do so, as has already been emphasized, solely as the result of the impression made upon them by the written statement received from the British Government that they too desire a pact of friendship in accordance with the general lines indicated to the British Ambassador.

The German Government desire in this way to give the British Government and the British nation a proof of the sincerity of

Germany's intentions to enter into a lasting friendship with Great Britain.

The Government of the Reich felt, however, bound to point out to the British Government that in the event of a territorial rearrangement in Poland they would no longer be able to bind themselves to give guarantees or to participate in guarantees without the U. S. S. R. being associated therewith.

For the rest, in making these proposals the German Government have never had any intention of touching Poland's vital interests or questioning the existence of an independent Polish State. The German Government, accordingly, in these circumstances agree to accept the British Government's offer of their good offices in securing the despatch to Berlin of a Polish Emissary with full powers. They count on the arrival of this Emissary on Wednesday, the 30th August, 1939.

The German Government will immediately draw up proposals for a solution acceptable to themselves and will, if possible, place these at the disposal of the British Government before the arrival of the Polish negotiator.

PARTIAL COPY OF DOCUMENT TC-72 No. 79

SIR N. HENDERSON TO VISCOUNT HALIFAX

[British Blue Book on German-Polish Relations]

(Telegraphic—received 9.15 p.m.).

Berlin, August 29, 1939.

Herr Hitler handed me German reply at 7.15 this evening. Translation of full text will follow as soon as possible.

2. In reply to two British proposals, namely, for direct German-Polish negotiations and international guarantee of any settlement, German Government declares:—

(1) That, in spite of its scepticism as to the prospect of their success, it accepts direct negotiation solely out of desire to ensure lasting friendship with Britain, and

(2) In the case of any modifications of territory German Government cannot undertake or participate in any guarantees without consulting the U.S.S.R.

3. Note observes that German proposals have never had for their object any diminution of Polish vital interests, and declares that German Government accepts mediation of Great Britain with a view to visit to Berlin of some Polish plenipo-

tentiary. German Government, note adds, counts on arrival of such plenipotentiary to-morrow, Wednesday, 30th August.

4. I remarked that this phrase sounded like an ultimatum, but after some heated remarks both Herr Hitler and Herr von Ribbentrop assured me that it was only intended to stress urgency of the moment when the two fully mobilized armies were standing face to face.

5. I said that I would transmit this suggestion immediately to His Majesty's Government, and asked whether, if such Polish plenipotentiary did come, we could assume that he would be well received and that discussions would be conducted on footing of complete equality. Herr Hitler's reply was "of course".

6. German demands are declared to be revision of Versailles Treaty; namely, return of Danzig and the Corridor to Germany, security for lives of German national minorities in the rest of Poland; note concludes with statement that the German Government will immediately elaborate proposals for an acceptable solution, and inform British Government, if possible, before arrival of Polish plenipotentiary.

PARTIAL COPY OF DOCUMENT TC-72 No. 89

REPLY OF HIS MAJESTY'S GOVERNMENT TO THE GERMAN CHANCELLOR'S COMMUNICATION OF AUGUST 29, 1939. (This reply was handed by Sir N. Henderson to Herr von Ribbentrop at Midnight on August 30, 1939.)

[British Blue Book on German-Polish Relations]

His Majesty's Government appreciate the friendly reference in the Declaration contained in the reply of the German Government to the latter's desire for an Anglo-German understanding and to their statement of the influence which this consideration has exercised upon their policy.

2. His Majesty's Government repeat that they reciprocate the German Government's desire for improved relations, but it will be recognized that they could not sacrifice the interests of other friends in order to obtain that improvement. They fully understand that the German Government cannot sacrifice Germany's vital interests, but the Polish Government are in the same position and His Majesty's Government believe that the vital interests of the two countries are not incompatible.

3. His Majesty's Government note that the German Govern-

ment accept the British proposal and are prepared to enter into direct discussions with the Polish Government.

4. His Majesty's Government understand that the German Government accept in principle the condition that any settlement should be made the subject of an international guarantee. The question of who shall participate in this guarantee will have to be discussed further, and His Majesty's Government hope that to avoid loss of time the German Government will take immediate steps to obtain the assent of the U.S.S.R., whose participation in the guarantee His Majesty's Government have always assumed.

5. His Majesty's Government also note that the German Government accept the position of the British Government as to Poland's vital interests and independence.

6. His Majesty's Government must make an express reservation in regard to the statement of the particular demands put forward by the German Government in an earlier passage in their reply. They understand that the German Government are drawing up proposals for a solution. No doubt these proposals will be fully examined during the discussions. It can then be determined how far they are compatible with the essential conditions which His Majesty's Government have stated and which in principle the German Government have expressed their willingness to accept.

7. His Majesty's Government are at once informing the Polish Government of the German Government's reply. The method of contact and arrangements for discussions must obviously be agreed with all urgency between the German and Polish Governments, but in His Majesty's Government's view it would be impracticable to establish contact so early as today.

8. His Majesty's Government fully recognize the need for speed in the initiation of discussion, and they share the apprehensions of the Chancellor arising from the proximity of two mobilized armies standing face to face. They would accordingly most strongly urge that both parties should undertake that, during the negotiations, no aggressive military movements will take place. His Majesty's Government feel confident that they could obtain such an undertaking from the Polish Government if the German Government would give similar assurances.

9. Further, His Majesty's Government would suggest that a temporary modus vivendi might be arranged for Danzig, which might prevent the occurrence of incidents tending to render German-Polish relations more difficult.

SIR N. HENDERSON TO VISCOUNT HALIFAX.

[British Blue Book on German-Polish Relations]

(Telegraphic—received 9.30 a.m. August 31.)

Berlin, August 30, 1939

I told Herr von Ribbentrop this evening that His Majesty's Government found it difficult to advise Polish Government to accept procedure adumbrated in German reply, and suggested that he should adopt normal contact, i.e., that when German proposals were ready to invite Polish Ambassador to call and to hand him proposals for transmission to his Government with a view to immediate opening of negotiations. I added that if basis afforded prospect of settlement His Majesty's Government could be counted upon to do their best in Warsaw to temporize negotiations.

2. Herr von Ribbentrop's reply was to produce a lengthy document which he read out in German aloud at top speed. Imagining that he would eventually hand it to me I did not attempt to follow too closely the sixteen or more articles which it contained. Though I cannot therefore guarantee accuracy the main points were: restoration of Danzig to Germany; southern boundary of Corridor to be line Marienwerder, Graudenz, Bromberg, Schoenlanke; plebiscite to be held in the Corridor on basis of population on 1st January 1919, a solute majority to decide international commission of British, French, Italian and Russian members to police the Corridor and guarantee reciprocal communications with Danzig and Gdynia pending result of the plebiscite; Gdynia to be reserved to Poland; Danzig to be purely commercial city and demilitarized.

3. When I asked Herr von Ribbentrop for text of these proposals in accordance with undertaking in the German reply of yesterday, he asserted that it was now too late as Polish representative had not arrived in Berlin by midnight.

4. I observed that to treat matter in this way meant that request for Polish representative to arrive in Berlin on 30th August constituted in fact, an ultimatum in spite of what he and Herr Hitler had assured me yesterday. This he denied, saying that idea of an ultimatum was figment of my imagination. Why then I asked could he not adopt normal procedure and give me copy of proposals and ask Polish Ambassador to call on him, just as Herr Hitler had summoned me a few days ago, and hand them to him for communication to Polish Government? In the most violent terms Herr von Ribbentrop said that he would never ask the Ambassador to visit him. He hinted that if Polish Ambassador asked

him for interview it might be different. I said that I would naturally inform my Government so at once. Whereupon he said while those were his personal views he would bring all that I had said to Herr Hitler's notice. It was for Chancellor to decide.

5. We parted on that note, but I must tell you that Herr von Ribbentrop's whole demeanor during an unpleasant interview was aping Herr Hitler at his worst. He inveighed incidentally against Polish mobilization, but I retorted that it was hardly surprising since Germany had also mobilized as Herr Hitler himself had admitted to be yesterday.

PARTIAL COPY OF DOCUMENT TC–72 No. 110

VISCOUNT HALIFAX TO SIR N. HENDERSON (BERLIN)

[British Blue Book on German-Polish Relations]

(Telegraphic.) Foreign Office, September 1, 1939. 5:45 P.M.

Following is text referred to in my immediately preceding telegram:—

On the instructions of His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to make the following communication:—

Early this morning the German Chancellor issued a proclamation to the German army which indicated clearly that he was about to attack Poland.

Information which has reached His Majesty's Government in the United Kingdom and the French Government indicates that German troops have crossed the Polish frontier and that attacks upon Polish towns are proceeding.

In these circumstances, it appears to the Governments of the United Kingdom and France that by their action the German Government have created conditions (viz., an aggressive act of force against Poland threatening the independence of Poland) which call for the implementation by the Governments of the United Kingdom and France of the undertaking to Poland to come to her assistance.

I am accordingly to inform your Excellency that unless the German Government are prepared to give His Majesty's Government satisfactory assurances that the German Government have suspended all aggressive action against Poland and are prepared promptly to withdraw their forces from Polish territory, His Majesty's Government in the United Kingdom will without hesitation fulfill their obligations to Poland.

PARTIAL COPY OF DOCUMENT TC–72 No. 113

VISCOUNT HALIFAX TO SIR H. KENNARD (WARSAW)

[British Blue Book on German-Polish Relations]

Foreign Office, September 1, 1939.

Sir,

The Polish Ambassador called to see me at his request at 10.30 this morning. Count Raczynski said that he had been officially informed from Paris that German forces had crossed the frontier at four points. He added that the towns of Vilno, Grodno, Brest-Litovsk, Lodz, Katowice and Cracow were being bombed and that at 9 a.m. an air attack had been made on Warsaw, as a result of which there were many civilian victims, including women and children. As regards the German attack, he understood, although he had no official information, that the points at the frontier which had been crossed were near Danzig, in East Prussia and Upper Silesia. His Excellency said that he had few words to add, except that it was a plain case as provided for by the treaty. I said that I had no doubt on the facts as he had reported them that we should take the same view.

I am, etc.

HALIFAX.

PARTIAL COPY OF DOCUMENT TC–72 No. 118

VISCOUNT HALIFAX TO SIR N. HENDERSON (BERLIN).

[British Blue Book on German-Polish Relations]

(Telegraphic) Foreign Office, September 3, 1939, 5 A.M.

Please seek interview with Minister for Foreign Affairs at 9 A.M. to-day, Sunday or, if he cannot see you then, arrange to convey at that time to representative of German Government the following communication:—

In the communication which I had the honour to make to you on 1st September I informed you, on the instructions of His Majesty's Principal Secretary of State for Foreign Affairs, that, unless the German Government were prepared to give His Majesty's Government in the United Kingdom satisfactory assurances that the German Government had suspended all aggressive action against Poland and were prepared promptly to withdraw their forces from Polish territory, His Majesty's Government in the United Kingdom would, without hesitation, fulfill their obligations to Poland.

Although this communication was made more than twenty-four hours ago, no reply has been received but German attacks upon Poland have been continued and intensified. I have accordingly the honour to inform you that, unless not later than 11 A.M., British Summer Time, to-day 3rd September, satisfactory assurances to the above effect have been given by the German Government, and have reached His Majesty's Government in London, a state of war will exist between the two countries as from that hour.

If the assurances referred to in the above communication are received, you should inform me by any means at your disposal before 11 A.M. to-day, 3rd September. If no such assurance is received here at 11 A.M., we shall inform the German representative that a state of war exists as from that hour.

PARTIAL COPY OF DOCUMENT TC-72 No. 124

MESSAGE FROM PRESIDENT ROOSEVELT TO HERR HITLER OF 24th AUGUST 1939.

[British Blue Book on German-Polish Relations]

In the message which I sent you on the 14th April, I stated that it appeared to be that the leaders of great nations had it in their power to liberate their peoples from the disaster that impended, but that, unless the effort were immediately made, with good will on all sides, to find a peaceful and constructive solution to existing controversies, the crisis which the world was confronting must end in catastrophe. Today that catastrophe appears to be very near—at hand, indeed.

To the message which I sent you last April I have received no reply, but because my confident belief that the cause of world peace—which is the cause of humanity itself—rises above all other considerations I am again addressing myself to you, with the hope that the war which impends and the consequent disaster to all peoples may yet be averted.

I therefore urge with all earnestness—and I am likewise urging the President of the Republic of Poland—that the Governments of Germany and Poland agree by common accord to refrain from any positive act of hostility for a reasonable stipulated period, and that they agree, likewise by common accord, to solve the controversies which have arisen between them by one of the three following methods:—

First, by direct negotiation;

Second, by the submission of these controversies to an impartial arbitration in which they can both have confidence; or

Third, that they agree to the solution of these controversies through the procedure of conciliation, selecting as a conciliator or moderator a national of one of the American Republics, which are all of them free from any connection with, or participation, in, European political affairs.

Both Poland and Germany being sovereign Governments, it is understood, of course, that, upon resort to any one of the alternatives I suggest, each nation will agree to accord complete respect to the independence and territorial integrity of the other.

The people of the United States are as one in their opposition to policies of military conquest and domination. They are as one in rejecting the thesis that any ruler or any people possess the right to achieve their ends or objectives through the taking of action which will plunge countless of millions into war, and which will bring distress and suffering to every nation of the world, belligerent and neutral, when such ends and objectives, so far as they are just and reasonable, can be satisfied through the processes of peaceful negotiation or by resort to judicial arbitration.

I appeal to you in the name of the people of the United States, and I believe in the name of peace-loving men and women everywhere, to agree to a solution of the controversies existing between your Government and that of Poland through the adoption of one of the alternative methods I have proposed.

I need hardly reiterate that should the Governments of Germany and Poland be willing to solve their differences in the peaceful manner suggested, the Government of the United States still stands prepared to contribute its share to the solution of the problems which are endangering world peace in the form set forth in my message of the 14th April.

PARTIAL COPY OF DOCUMENT TC-72 No. 126

REPLY OF AUGUST 25, 1939, TO PRESIDENT ROOSEVELT FROM PRESIDENT MOSCICKI

[British Blue Book on German-Polish Relations]

I appreciate the noble message which your Excellency has been kind enough to send me. I should like to emphasize that the Polish Government have ever considered direct talks between Governments to be the most suitable method of resolving difficulties which may arise between States. We consider that this method is all the more suitable where neighbouring States are concerned. On the basis of these principles Poland concluded non-aggression pacts with Germany and Russia. We consider also that the method of conciliation through the intermediary of a disinterested and impartial third party is a just method of resolving differences which have been created between nations.

Although I clearly wish to avoid even the appearance of desiring to profit by this occasion to raise points of litigation, I deem it my duty, nevertheless, to make clear that in the present crisis it is not Poland which is formulating demands and demanding concessions of any other State. It is therefore, perfectly natural that Poland should hold aloof from any action of this kind, direct or indirect. I would like to close by expressing my ardent wish that your message of peace may contribute to a general appeasement which is so necessary to enable the nations once more to regain the blessed path of progress and civilization.

PARTIAL COPY OF DOCUMENT TC–72 No. 127

PRESIDENT ROOSEVELT'S SECOND APPEAL TO HERR HITLER, DATED 25 AUGUST 1939

[British Blue Book on German-Polish Relations]

I have this hour received from the President of Poland a reply to the message which I addressed to your Excellency and to him last night.

(The text of President Moscicki's reply is then given. President Roosevelt continues as follows) :—

Your Excellency has repeatedly publicly stated that the aims and objects sought by the German Reich were just and reasonable.

In his reply to my message the President of Poland has made it plain that the Polish Government is willing, upon the basis set forth in my message, to agree to solve the controversy which has arisen between the Republic of Poland and the German Reich by direct negotiation or the process of conciliation.

Countless human lives can yet be saved and hope may still be restored that the nations of the modern world may even now construct the foundation for a peaceful and happier relationship, if you and the Government of the German Reich will agree to the pacific means of settlement accepted by the Government of Poland. All the world prays that Germany, too, will accept.

PARTIAL COPY OF DOCUMENT TC–72 No. 139

BROADCAST APPEAL FOR PEACE BY HIS HOLINESS THE POPE, AUGUST 24, 1939

[British Blue Book on German-Polish Relations]

Once again a critical hour strikes for the great human family; an hour of tremendous deliberations, towards which our heart cannot be indifferent and from which our spiritual authority, which comes to us from God to lead souls in the ways of justice and peace must not hold itself aloof.

Behold us then with all of you, who in this moment are carrying the burden of so great a responsibility, in order that through our voice you may hear the voice of that Christ from Whom the world received the most exalted example of living, and in whom millions and millions of souls repose their trust in a crisis in which His word alone is capable of mastering all the tumultuous disturbances of the earth.

Behold us with you, leaders of peoples, men of State and men of arms, writers, orators of the radio and of the public rostrum and all those others who have the power to influence the thought and action of their fellow-men for whose destiny they are responsible.

We, armed only with the word of Truth and standing above all public disputes and passions speak to you in the name of God from "Whom all paternity in heaven and earth is named"—in the name of Jesus Christ, Our Lord, who desired that all men be brothers—in the name of the Holy Ghost, Gift of God most High, inexhaustible source of love in the hearts of men.

To-day, notwithstanding our repeated exhortations and our very particular interest, the fear of bloody international conflict becomes more excruciating; to-day, when the tension of minds seems to have arrived at such a pass as to make the outbreak of the awful scourge of war appear imminent we direct with paternal feeling a new and more heartfelt appeal to those in power and to their peoples: to the former that, laying aside accusations, threats, causes of mutual distrust, they may attempt to resolve their present differences with the sole means suitable thereto, namely by reciprocal and trusting agreement; to the latter that in calm tranquillity, without disordered agitation they may encourage the peaceful efforts of those who govern them.

It is by force of reason and not by force of arms that Justice makes progress; and empires which are not founded on Justice are not blessed by God. Statesmanship emancipated from morality betrays those very ones who would have it so.

The danger is imminent but there is yet time.

Nothing is lost with peace; all may be with war. Let men return to mutual understanding. Let them begin negotiations anew. Conferring with goodwill and with respect for reciprocal rights they will find that to sincere and conscientious negotiators, an honourable solution is never precluded.

They will feel a sense of greatness—in the true sense of the word—if by silencing the voices of passion, be it collective or private, and by leaving to reason its rightful rule, they will have spared the blood of their fellow men and saved their country from ruin.

May the Almighty grant that the voice of this Father of the Christian family of this Servant of servants, who bears amongst men, unworthily indeed, but nevertheless really, the person, the voice and the authority of Jesus Christ, find in the minds and in the hearts of men a ready and willing reception.

May the strong hear us that they may not become weak through injustice, may the powerful hear us if they desire that their power be not a destruction, rather a protection for their peoples and a safeguard to tranquillity in public order and in labour.

We beseech them by the blood of Christ, whose conquering force in the world was His mildness in life and in death. And beseeching them we know and feel that we have with us all those who are upright of heart; all those who hunger and thirst after justice—all those who already suffer every sorrow through the evils of life. We have with us the heart of mothers which beats as one with ours; the fathers who would be obliged to abandon their families; lowly who labour and do not understand; the innocent upon whom weighs heavily the awful threat; the young men, generous knights of the purest and noblest ideals. And with us also is the soul of this ancient Europe which was the product of the faith and of Christian genius. With us all humanity seeks just bread, freedom; not steel which kills and destroys. With us that Christ, Who has made His one, solemn commandment—Love of One's Brother—the very substance of His religion and the promise of salvation for individuals and for nations.

Recalling finally that human efforts are of no avail without Divine assistance, we invite all to raise their eyes to Heaven and to beseech the Lord with fervent prayer that His divine grace descend in abundance upon this world in its upheaval, placate dissensions, reconcile hearts and evoke the resplendent dawn of a more serene future.

To this end and with this hope we impart to all, from the heart, our paternal Benediction.

PARTIAL COPY OF DOCUMENT TC–72 No. 141

MR. OSBORNE TO VISCOUNT HALIFAX

[British Blue Book on German-Polish Relations]

(Telegraphic—received 3.45 p.m.)

Holy See, August 31, 1939.

Cardinal Secretary of State has just handed me a note of which the following is a translation:—

The Pope is unwilling to abandon hope that pending negotiations may lead to a just pacific solution such as the whole world continues to pray for.

His Holiness therefore, in the name of God, beseeches the German and Polish Governments to do all that is in their power to avoid any incident and to abstain from taking any step that might aggravate the present tension.

His Holiness begs the British, French and Italian Governments to support his appeal.

Copies of the above were also handed to the Ambassadors of Germany, Poland, France and Italy. His Eminence also gave a copy to the Spanish Ambassador and is causing a copy to be conveyed to the United States Ambassador to the Quirinal.

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 33

OFFICIAL COMMUNIQUE ON THE POLISH AMBASSADOR'S AUDIENCE WITH THE REICH CHANCELLOR

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

November 5, 1937.

The Reich Chancellor received the Polish Ambassador in Berlin, M. Lipski, today. In his conversation with the Ambassador the Fuehrer-Chancellor gave expression to his satisfaction that it had been possible to reach an understanding on a matter of special importance for Polish-German relations, i.e., the Minorities question. Thus it had been proved that the Polish-German Declaration of January 26, 1934, and the principle of direct negotiation therein provided for, was still demonstrating its value.

In the course of the conversation it was confirmed that Polish-German relations should not meet with difficulties because of the Danzig question.

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 37

CHANCELLOR HITLER'S REICHSTAG SPEECH OF FEBRUARY 20, 1938

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

"With one State only did we not want any connection or any close relations—with Soviet Russia. * * *"

"Any attempts to spread Bolshevism, irrespective of where they occurred, would have our abhorrence and, if they threaten us—our enmity. * * *"

In the fifth year following the first great foreign political agreement of the Reich, it fills us with sincere gratification to be able to state that in our relations with the State with which we had had perhaps the greatest differences, not only has there been a detente, but in the course of these years there has been a constant improvement in relations. I know perfectly well that this is above all attributable to the circumstance that at the time there was no Western parliamentarian in Warsaw, but a Polish Marshal, who as an eminent personality realized the significance, so important to Europe, of such a German-Polish detente. This good work, which was regarded with suspicion by so many at the time, has stood the test, and I may say, that, since the League of Nations finally gave up its continual attempts to unsettle Danzig and appointed a man of great personal attainments as the new commissioner, this most dangerous spot from the point of view of European peace has entirely lost its menacing character. The Polish State respects the national conditions in this State, and both the city of Danzig and Germany respect Polish rights. And so the way to a friendly understanding has been successfully paved, an understanding which, beginning with Danzig, has today, in spite of the attempts of certain mischief-makers, succeeded in finally taking the poison out of the relations between Germany and Poland and transforming them into a sincere, friendly co-operation.

Relying on her friendships Germany will not leave a stone unturned to save that ideal which provides the foundation for the task which is ahead of us—peace.

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 40

M. LIPSKI'S MINUTES OF HIS CONVERSATION WITH M. VON RIBBENTROP

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

Nurnberg September 10, 1938.

M. von Ribbentrop emphasizes the necessity foi good Polish-

German relations; this was his own conviction, which had regard to the common interests linking both States. His personal view was confirmed by the line adopted by the Chancellor. As long, therefore, as the Chancellor desired to maintain his present post, he would work positively for the development of Polish-German relations.

Granted this general assumption minor issues disturbing Polish-German relations must be settled in a friendly spirit.

PARTIAL TRANSLATION OF DOCUMENT TC-73 No. 42

CHANCELLOR HITLER'S SPEECH IN THE SPORTPALAST

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

September 26, 1938.

We have no interest in oppressing other nations. We desire to be happy in our own way and let the others be happy in their own ways. * * *

The most difficult problem with which I was confronted was that of our relations with Poland. There was a danger that Poles and Germans would regard each other as hereditary enemies. I wanted to prevent this. I know well enough that I would not have been successful if Poland had had a democratic constitution. For these democracies which indulge in phrases about peace are the most blood-thirsty war agitators. In Poland there ruled not a democracy, but a man; and with him I succeeded in precisely twelve months, in coming to an agreement which, for ten years to begin with, entirely removed the danger of conflict. We are all convinced that this agreement will bring lasting pacification. We realize that here are two peoples which must live together, and neither of which can do away with the other. A people of 33 millions will always strive for an out-let to the sea. A way to understanding then, had to be found; it has been found; and it will be continually extended further. Certainly things were difficult for this area. The nationalities and small groups frequently quarrelled among themselves. But the main fact is that the two Governments, and all reasonable and clear-sighted persons among the two peoples and in the two countries, possess the firm will and determination to improve their relations. It was a real work of peace, of more value than all the chattering of the League of Nations Palace at Geneva.

M. LIPSKI TO M. BECK, BERLIN, OCTOBER 25, 1938

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

In a conversation on October 24, over a luncheon at the Grand Hotel, Berchtesgaden, at which M. Hewel was present, M. von Ribbentrop put forward a proposal for a general settlement of issues [Gesamtloesung] between Poland and Germany. This included the reunion of Danzig with the Reich, while Poland would be assured the retention of railway and economic facilities there. Poland would agree to the building of an extra-territorial motor road and railway line across Pomorze. In exchange M. von Ribbentrop mentioned the possibility of an extension of the Polish-German Agreement by twenty-five years and a guarantee of Polish-German frontiers. As a possible sphere for future cooperation between the two countries, the German Foreign Minister specified joint action in colonial matters and the emigration of Jews from Poland, and a joint policy towards Russia on the basis of the Anti-Comintern Pact. M. von Ribbentrop asked me to communicate his suggestion to you. He would like to discuss these matters with you, with my participation.

In my reply I referred him to the Chancellor's declaration on the Danzig question, made to me on November 5, 1937, and repeated to you in Berlin on January 14, 1938.

I also pointed to the importance of Danzig as a port to Poland, and repeated the Polish Government's principle of non-interference in the internal life of the German population in the Free City, where complete self-government is established.

Finally, I said that I wished to warn M. von Ribbentrop that I could see no possibility of an agreement involving the reunion of the Free City with the Reich. I concluded by promising to communicate the substance of this conversation to you.

After the conversation M. von Ribbentrop invited me again to call on him and, mentioning the issue of the union of Sub-Carpathian Ruthenia with Hungary, put to me the question whether I was raising it with the German Government as a Polish postulate. He added that, if the Polish Government agreed to the German conception regarding Danzig and the Motor Road, the question of Sub-Carpathian Ruthenia could be solved in accordance with Poland's attitude to the matter. I answered that my only task was to inform the German Government of Poland's attitude in regard to Hungary's postulate in Sub-Carpathian Ruthenia, as Poland had also done to the Italian Government.

M. BECK'S INSTRUCTIONS TO M. LIPSKI, WARSAW, OCTOBER 31, 1938

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

In connection with your indication of the Reich Government's desire to achieve a general agreement which would finally stabilize Polish-German relations in accordance with the principle of a good and friendly co-existence, as expressed by M. von Ribbentrop in his conversation at Berchtesgaden on the 24th inst., please inform the governing circles of the Reich of our following views:

(1) Although, to our sincere satisfaction, the last crisis did not lead to a general European military conflict, in the eyes of the Polish Government the value of good Polish-German relations in a general stabilization of peace is not only of undiminished importance, but, in face of the dominating general political chaos, has gained in weight and cogency.

(2) In the sphere of Polish-German neighbourly relations, in spite of local difficulties, great progress has been made, since it has not escaped our notice that the Reich Chancellor's declarations in regard to us, made in his public statements, contain increasingly precise and unequivocal formulas.

(3) The Polish-German Agreement of 1934 has stood the test of the greatest political upheaval post-war Europe has so far experienced. In these circumstances, it is only logical to emphasize this achievement, by impressing the publics of both countries with the fact that the said Agreement was not of a transient and tactical nature. On the contrary, it expresses the firm resolution to repair mistakes of past history, which has been so abundant in strife and conflict without advantage to either of our nations.

(4) In the opinion of the Polish Government the subject of any future understanding concluded with the object of permanently maintaining good neighbourly relations would have to be the following:

(*a*) A certain extension in the period and form of the 1934 Declaration, as the basis of relations between the two States.

(*b*) Such a settlement of the problem of the Danzig Free City as would prevent, in future, the continually recurring difficulties of a technical and psychological nature which arise from friction in this sphere. The question of the Free City is urgent because in the state of affairs hitherto prevailing, with the League of Nations reserving very far-reaching prerogatives to itself, but not able to fulfill its task in a manner beneficial to the Free City and to Polish interests, the need arises for the Polish and Reich Governments to approach the problem in a spirit of frankness.

(5) On the Polish side the fact will always remain that so important a State as Poland has access to the sea which is reduced to the minimum possible, and this at a time when the Republic's sea commerce and its mercantile marine are naturally developing on a very wide scale. The construction of Gdynia port considerably enlarged Poland's possibilities, but the position of the Free City at the mouth of the Vistula (which, especially since the creation of the Polish Central Industrial Area, is an increasingly important communication way) confers quite special importance on the Free City from the aspect of Polish maritime interests. A very large number of further basins can still be excavated at Gdynia, but it would be impossible to find any substitute for the natural port situated at the mouth of the main Polish waterway. On the other hand, the exploitation of any port under normal economic conditions is only possible when it is situated within the Customs area of the country which forms its hinterland. For this reason, in past ages the Free City of Danzig, while enjoying local autonomy because of the nature of its population, was even under Polish sovereignty. It should be added that the Danzig delegation to the Congress of Vienna had, as its chief task, the maintenance of its connection with whatever type of Polish State might arise as the result of the deliberations of that Congress. These historical considerations are meant only as illustration and commentary. Present-day realities provide clear arguments for a definition of the bounds of Polish interests in relation to the Free City.

(6) In the circumstances, in the understanding of the Polish Government the Danzig question is governed by two factors: the right of the German population of the city and the surrounding villages to freedom of life and development; and the fact that in all matters appertaining to the Free City as a port it is connected with Poland. Apart from the national character of the majority of the population, everything in Danzig is definitely bound up with Poland. In the present state of affairs the existing Statute and agreements guarantee Poland:

(*a*) Unrestricted access to the sea by waterway and railway.

(*b*) The ownership of the railways serving the port of Danzig and the port at Gdynia.

(*c*) The inclusion of the Free City in the Polish Customs area.

(*d*) The rights of the Polish minority.

Other rights derive from these four cardinal conditions. The Statute contains yet another fifth condition which, despite several declarations of the Danzig Senate, the last being made in 1932, has never been fulfilled. The failure to fulfil this condition reacts most unfavourably upon the economic position of the Free City.

(7) Taking all the foregoing factors into consideration, and desiring to achieve the stabilization of relations by way of a friendly understanding with the Government of the German Reich, the Polish Government proposes the replacement of the League of Nations guarantee and its prerogatives by a bi-lateral Polish-German Agreement. This Agreement should guarantee the existence of the Free City of Danzig so as to assure freedom of national and cultural life to its German majority, and also should guarantee all Polish rights. Notwithstanding the complications involved in such a system, the Polish Government must state that any other solution, and in particular any attempt to incorporate the Free City into the Reich, must inevitably lead to a conflict. This would not only take the form of local difficulties, but also would suspend all possibility of Polish-German understanding in all its aspects. Even in 1933, after the conversations had been opened which led to the conclusion of the 1934 Declaration, Marshal Pilsudski raised the Danzig question as a sure criterion for estimating the German Reich's intentions towards Poland. This was made known both through diplomatic channels and also, so far as I remember, in a conversation between Marshal Pilsudski and Dr. Goebbels. I expressly consider that this point of view is binding upon Poland.

(8) In face of the weight and cogency of these questions, I am ready to have final conversations personally with the governing circles of the Reich. I deem it necessary, however, that you should first present the principles to which we adhere, so that my eventual contact should not end in a breakdown, which would be dangerous for the future.

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 48

MINUTES of M. BECK'S CONVERSATION WITH CHANCELLOR HITLER; BERCHTESGADEN, JANUARY 5, 1939

[Polish White Book on Polish-German and Polish-Soviet Relations, 1933-39]

The conversation took place in the presence of M. von Ribbentrop, M. von Moltke, M.Lipski and Count Michal Lubienski.

The Chancellor began by asking M.Beck whether he had any special questions to ask, as he was quite ready to be at his service with any explanations. In replying, M.Beck mentioned the Danzig situation and the Danube problem.

The Chancellor explained at length how the arbitration at Vienna had come about, laying the blame on the Hungarian Government's tactics for Budapest's failure to give effect to the postulate regarding Carpathian Ruthenia.

The Chancellor pointed out that in regard to Poland he always and invariably tried to follow the policy initiated by the Declaration of 1934. In his opinion the community of interests between Germany and Poland, so far as Russia was concerned, was complete. For the Reich, Russia, whether Tsarist or Bolshevist, was equally dangerous. The latter was perhaps a greater danger because of Communist propaganda, but the former was more dangerous in the military and even more the imperialistic sense. For these reasons, a strong Poland was an absolute necessity for Germany. At this point the Chancellor remarked that every Polish division engaged against Russia was a corresponding saving of a German division.

The Chancellor further declared that he was interested in the Ukraine from the economic viewpoint, but he had no interest in it politically.

The Chancellor then discussed the Danzig question, and emphasized that, as it was a German city, sooner or later it must return to the Reich. He stated that, in his opinion, by way of mutual agreement it would be possible to find some way out and achieve a form of guarantee to the legitimate interests of both Poland and Germany. If an agreement was reached on this question, all difficulties between the two States could quite definitely be settled and cleared out of the way. He emphasized that he was ready in that case to give an assurance, similar to that which he had given France with respect to Alsace and Lorraine, and to Italy with respect to the Brenner. Finally, he drew attention, without stressing the matter, to the necessity for greater freedom of communication between Germany and East Prussia.

M.Beck replied that the Danzig question was a very difficult problem. He added that in the Chancellor's suggestion he did not see any equivalent for Poland, and that the whole of Polish opinion, and not only people thinking politically but the widest spheres of Polish society, were particularly sensitive on this matter.

In answer to this the Chancellor stated that to solve this problem it would be necessary to try to find something quite new, some new form, for which he used the term "Koerperschaft", which on the one hand would safeguard the interests of the German population, and on the other the Polish interests. In addition, the Chancellor declared that the Minister could be quite at ease, there would be no faits accomplis in Danzig and nothing would be done to render difficult the situation of the Polish Government.

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 49

MINUTES OF M.BECK'S CONVERSATION WITH M. VON RIBBENTROP, 6 JANUARY 1939

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

M.Beck asked M. von Ribbentrop to inform the Chancellor that whereas previously, after all his conversations and contacts with German statesmen, he had been feeling optimistic, today for the first time he was in a pessimistic mood. Particularly in regard to the Danzig question, as it had been raised by the Chancellor, he saw no possibility whatever of agreement.

In answer M. von Ribbentrop once more emphasized that Germany was not seeking any violent solution. The basis of their policy towards Poland was still a desire for the further building up of friendly relations. It was necessary to seek such a method of clearing away the difficulties as would respect the rights and interests of the two parties concerned.

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 57

CHANCELLOR HITLER'S REICHSTAG SPEECH, JANUARY 30, 1939.

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

"We have just celebrated the fifth anniversary of the conclusion of our non-aggression pact with Poland. There can scarcely be any difference of opinion to-day among the true friends of peace as to the value of this agreement. One only needs to ask oneself what might have happened to Europe if this agreement, which brought such relief, had not been entered into five years ago. In signing it, the great Polish marshal and patriot rendered his people just as great a service as the leaders of the National-Socialist State rendered the German people. During the troubled months of the past year the friendship between Germany and Poland has been one of the reassuring factors in the political life of Europe."

M. LIPSKI TO M. BECK, BERLIN, MARCH 21, 1939

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

I saw M. von Ribbentrop to-day. He began by saying he had asked me to call on him in order to discuss Polish-German relations in their entirety.

He complained about our Press, and the Warsaw students' demonstrations during Count Ciano's visit. He said the Chancellor was convinced that the poster in Danzig had been the work of Polish students themselves. [Some days prior to the date of this conversation a poster had been put up in a cafe at Danzig, bearing the inscription: "Entry forbidden to Poles and dogs." This had caused protest demonstrations by Polish students.] I reacted vigorously, asserting that this was a clear attempt to influence the Chancellor unfavourably to Poland.

He mentioned the question of Sub-Carpathian Ruthenia, which had particularly troubled Polish opinion, and stated that this question had been settled in conformity with Poland's wishes. This was to be communicated to you by Ambassador von Moltke. He spoke of the experts' negotiations on the Minority questions, and dwelt on the fact of the failure to reach agreement as to a joint communique.

At this point I interrupted him to correct his inaccurate statement.

Further, M. von Ribbentrop referred to the conversation at Berchtesgaden between you and the Chancellor, in which M. Hitler put forward the idea of guaranteeing Poland's frontiers in exchange for a motor road and the incorporation of Danzig in the Reich. He said that there had been further conversations between you and him in Warsaw on the subject, and that you had pointed out the great difficulties in the way of accepting these suggestions. He gave me to understand that all this had made an unfavourable impression on the Chancellor, since so far he had received no positive reaction whatever on our part to his suggestions. M. von Ribbentrop had had a talk with the Chancellor only yesterday. He stated that the Chancellor was still in favour of good relations with Poland, and had expressed a desire to have a thorough conversation with you on the subject of our mutual relations. M. von Ribbentrop indicated that he was under the impression that difficulties arising between us were also due to some misunderstanding of the Reich's real aims. The problem needed to be considered on a higher plane. In his opinion our two States were dependent on each other. It must not be forgotten that, by defeating Russia in the World War, Germany had been a contributory factor in the emergence of the Polish State. Obviously they could not forget the shedding of Polish blood, which they held in high honour. Subsequently, thanks to Chancellor Hitler's policy, General Schleicher's plan of German-Soviet collaboration had been smashed. That plan, which would have led to the annihilation of the Polish State, was defeated. It must also be remembered that Danzig and Pomorze had belonged to the Second Reich, and that only through Germany's breakdown had Poland obtained these territories.

At this point I remarked that it was not to be forgotten that before the Partitions these territories had belonged to Poland.

M. von Ribbentrop replied that it was difficult to appeal to purely historical conceptions, and he stressed that the ethnic factor was to-day of prime importance.

I remarked that Pomorze certainly was Polish, and alluded to the fact that in regard to the annexation of Bohemia and Moravia the Germans had used historical arguments.

M. von Ribbentrop recalled that after all Danzig was a German city, but he realized that in regard to the Danzig question Poland also was actuated by sentiment.

I corrected him by pointing out that in addition it was a vital necessity to Poland, to which M. von Ribbentrop remarked that that could be settled by way of a guarantee.

Discussing the guarantee which the Chancellor was prepared to give with respect to Poland's frontiers and Pomorze in particular, M. von Ribbentrop stressed the point that no previous German Government had been able to give such a guarantee.

In connection with Danzig, the motor road and the guarantee, M. von Ribbentrop also mentioned the question of Slovakia, indicating that conversations would be possible on this subject. He emphasized that obviously an understanding between us would have to include explicit anti-Soviet tendencies. He affirmed that Germany could never collaborate with the Soviets, and that a Polish-Soviet understanding would inevitably lead to Bolshevism in Poland.

I stated that no Polish patriot would allow himself to be drawn towards Bolshevism. He said he realized that, but in this respect the Jewish element in Poland was a danger.

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Replying generally to M. von Ribbentrop's arguments, I pointed out that so far as our Press was concerned its tone was now quieter than that of any other country. M. von Ribbentrop retorted that he took no notice of the uproar in the British Press. That agitation was entirely without importance. He believed that the Fuehrer always followed the right policy.

Subsequently, I stressed the fact that since 1934 our public opinion had been put to considerable trials. Nevertheless it remained quiet. I recalled that we had adopted a completely understanding attitude on the question of realization of Germany's equality of rights. We had maintained the same attitude in regard to the Austrian problem. After the settlement of the Sudeten problem, the question of Sub-Carpathian Ruthenia had come up, and had clouded the atmosphere between our two countries.

I stated that now, during the settlement of the Czecho-Slovakian question, there was no understanding whatever between us. The Czech issue was already hard enough for the Polish public to swallow, for, despite our disputes with the Czechs, they were after all a Slav people. But in regard to Slovakia the position was far worse. I emphasized our community of race, language and religion, and mentioned the help we had given in their achievement of independence. I pointed out our long frontier with Slovakia. I indicated that the Polish man in the street could not understand why the Reich had assumed the protection of Slovakia, that protection being directed against Poland. I said emphatically that this question was a serious blow to our relations.

M. von Ribbentrop reflected a moment, and then answered that this could be discussed.

I promised to refer to you the suggestion of a conversation between you and the Chancellor. M. von Ribbentrop remarked that I might go to Warsaw during the next few days to talk over this matter. He advised that the talk should not be delayed, lest the Chancellor should come to the conclusion that Poland was rejecting all his offers.

Finally, I asked whether he could tell me anything about his conversation with the Foreign Minister of Lithuania.

M. von Ribbentrop answered vaguely that he had seen M. Urbszys on the latter's return from Rome, and they had discussed the Memel question, which called for a solution.

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In view of the importance of this conversation I am sending this report through Prince Lubomirski.

Arising out of the conversation, I am prompted to make the following remarks:

The fact that M. von Ribbentrop said nothing on his own initiative about Memel suggests that his conversation with me to-day, proposing a fundamental exchange of views between you and the Chancellor, is perhaps aimed at securing our neutrality during the Memel crisis.

M. von Ribbentrop's suggestion of a conversation and his emphasis on its urgency are a proof that Germany has resolved to carry out her Eastern programme quickly, and so desires to have Poland's attitude clearly defined.

In these circumstances the conversation acquires very real importance, and must be carefully considered in all its aspects.

I assume that you will be desiring to summon me to Warsaw in a day or two in regard to this matter.

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 91

ANGLO-POLISH AGREEMENT OF MUTUAL ASSISTANCE LONDON, AUGUST 25, 1939

[Polish White Book on Polish-German and Polish-Soviet Relations, 1933-39]

The Government of the United Kingdom of Great Britain and North Ireland and the Polish Government,

Desiring to place on a permanent basis the collaboration between their respective countries resulting from the assurances of mutual assistance of a defensive character which they have already exchanged,

Have resolved to conclude an Agreement for that purpose and have appointed as their Plenipotentiaries:

The Government of the United Kingdom of Great Britain and Northern Ireland:

The Rt. Hon. Viscount Halifax, K.G., G.C.S.I., G.C.I.E., Principal Secretary of State for Foreign Affairs;

The Polish Government:

His Excellency Count Edward Raczynski, Ambassador Extraordinary and Plenipotentiary of the Polish Republic in London;

Who, having exchanged their Full Powers, found in good and due form, have agreed on the following provisions:—

ARTICLE 1

Should one of the Contracting Parties become engaged in hostilities with a European Power in consequence of aggression by the latter against that Contracting Party, the other Contracting Party will at once give the Contracting Party engaged in hostilities all the support and assistance in its power.

ARTICLE 2

(1) The provisions of Article 1 will also apply in the event of any action by a European Power which clearly threatened, directly or indirectly, the independence of one of the Contracting Parties, and was of such a nature that the Party in question considered it vital to resist it with its armed forces.

(2) Should one of the Contracting Parties become engaged in hostilities with a European Power in consequence of action by that Power which threatened the independence or neutrality of another European State in such a way as to constitute a clear menace to the security of that Contracting Party, the provisions of Article 1 will apply, without prejudice, however, to the rights of the other European State concerned.

ARTICLE 3

Should a European Power attempt to undermine the independence of one of the Contracting Parties by processes of economic penetration or in any other way, the Contracting Parties will support each other in resistance to such attempts. Should the European Power concerned thereupon embark on hostilities against one of the Contracting Parties, the provisions of Article 1 will apply.

ARTICLE 4

The methods of applying the undertakings of mutual assistance provided for by the present Agreement are established between the competent naval, military and air authorities of the Contracting Parties.

ARTICLE 5

Without prejudice to the foregoing undertakings of the Contracting Parties to give each other mutual support and assistance immediately on the outbreak of hostilities, they will exchange complete and speedy information concerning any development which might threaten their independence and, in particular, concerning any development which threatened to call the said undertakings into operation.

ARTICLE 6

(1) The Contracting Parties will communicate to each other the terms of any undertakings of assistance against aggression which they have already given or may in future give to other States.

(2) Should either of the Contracting Parties intend to give such an undertaking after the coming into force of the present Agreement, the other Contracting Party shall, in order to ensure the proper functioning of the Agreement, be informed thereof.

(3) Any new undertaking which the Contracting Parties may enter into in future shall neither limit their obligations under the present Agreement nor indirectly create new obligations between the Contracting Party not participating in these undertakings and the third State concerned.

ARTICLE 7

Should the Contracting Parties be engaged in hostilities in consequence of the application of the present Agreement, they will not conclude an armistice or treaty of peace except by mutual agreement.

ARTICLE 8

(1) The present Agreement shall remain in force for a period of five years.

(2) Unless denounced six months before the expiry of this period it shall continue in force, each Contracting Party having thereafter the right to denounce it at any time by giving six months' notice to that effect.

(3) The present Agreement shall come into force on signature.

In faith whereof the above-named Plenipotentiaries have signed the present Agreement and have affixed thereto their seals.

Done in English in duplicate, at London, the 25th August, 1939. A Polish text shall subsequently be agreed upon between the Contracting Parties and both texts will then be authentic.

(L.S.) HALIFAX.
(L.S.) EDWARD RACZYNSKI

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 112

M. LIPSKI TO THE MINISTRY FOR FOREIGN AFFAIRS

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

Berlin, August 31, 1939.
(Received at 10.30 p.m.)

I was received by M. von Ribbentrop at 6.30 p.m.

I carried out my instructions. M. von Ribbentrop asked if I had special plenipotentiary powers to undertake negotiations. I said no. He then asked whether I had been informed that on London's suggestion the German Government had expressed their readiness to negotiate directly with a delegate of the Polish Government, furnished with the requisite full powers, who was to have arrived on the preceding day, August 30. I replied that

I had no direct information on the subject. In conclusion M. von Ribbentrop repeated that he had thought I would be empowered to negotiate. He would communicate my demarche to the Chancellor.

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 113

OFFICIAL GERMAN COMMUNIQUE BROADCAST BY THE GERMAN WIRELESS AT 9.P.M.

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

August 31, 1939.

His Britannic Majesty's Government informed the German Government, in a note dated August 28, 1939, of their readiness to offer their mediation towards direct negotiations between Germany and Poland over the problems in dispute. In so doing they made it abundantly clear that they, too, were aware of the urgent need for progress in view of the continuous incidents and the general European tension. In a reply dated August 29, the German Government in spite of being sceptical as to the desire of the Polish Government to come to an understanding, declared themselves ready in the interests of peace to accept the British mediation or suggestion. After considering all the circumstances prevailing at the time, they considered it necessary in their note to point out that, if the danger of a catastrophe was to be avoided, then action must be taken readily and without delay. In this sense they declared themselves ready to receive a personage appointed by the Polish Government up to the evening of August 30, with the proviso that the latter was, in fact, empowered not only to discuss but to conduct and conclude negotiations.

Further, the German Government pointed out that they felt able to make the basic points regarding the offer of an understanding available to the British Government by the time the Polish negotiator arrived in Berlin.

Instead of a statement regarding the arrival of an authorized Polish personage, the first answer the Government of the Reich received to their readiness for an understanding was the news of the Polish mobilization and only towards 12 o'clock on the night of August 30, 1939, did they receive a somewhat general assurance of British readiness to help towards the commencement of negotiations.

Although the fact that the Polish negotiator expected by the Government of the Reich did not arrive removed the necessary condition for informing His Majesty's Government of the views of the German Government as regards possible bases of negotiation, since His Majesty's Government themselves had pleaded for direct negotiations between Germany and Poland, the German Minister for Foreign Affairs, M. von Ribbentrop, gave the British Ambassador on the occasion of the presentation of the last British note precise information as to the text of the German proposals which would be regarded as a basis of negotiation in the event of the arrival of the Polish plenipotentiary.

The Government of the German Reich considered themselves entitled to claim that in these circumstances a Polish personage would immediately be nominated, at any rate retroactively.

For the Reich Government cannot be expected for their part continually not only to emphasize their willingness to start negotiations, but actually to be ready to do so, while being from the Polish side merely put off with empty subterfuges and meaningless declarations.

It has once more been made clear as a result of a démarche which has meanwhile been made by the Polish Ambassador that the latter himself has no plenary powers either to enter into any discussion, or even to negotiate.

The Fuehrer and the German Government have thus waited two days in vain for the arrival of a Polish negotiator with plenary powers.

In these circumstances the German Government regard their proposals as having this time too been to all intents and purposes rejected, although they considered that these proposals, in the form in which they were made known to the British Government also, were more than loyal, fair and practicable.

The Reich Government consider it timely to inform the public of the bases for negotiation which were communicated to the British Ambassador by the Minister for Foreign Affairs, M. von Ribbentrop.

The situation existing between the German Reich and Poland is at the moment of such a kind that any further incident can lead to an explosion on the part of the military forces which have taken up their position on both sides. Any peaceful solution must be framed in such a way as to ensure that the events which lie at the root of this situation cannot be repeated on the next occasion offered, and that thus not only the East of Europe, but also other territories shall not be brought into such a state of tension. The causes of this development lie in: (1) the impossible delineation of frontiers, as fixed by the Versailles dictate; (2) the impossible treatment of the minority in the ceded territories.

In making these proposals, the Reich Government are, therefore, actuated by the idea of finding a lasting solution which will remove the impossible situation created by frontier delineation, which may assure to both parties their vitally important line of communication, which may—as far as it is at all possible—remove the minority problem and, in so far as this is not possible, may give the minorities the assurance of a tolerable future by means of a reliable guarantee of their rights.

The Reich Government are content that in so doing it is essential that economic and physical damage done since 1918 should be exposed and repaired in its entirety. They, of course, regard this obligation as being binding for both parties.

These considerations lead to the following practical proposals:

1. The Free City of Danzig shall return to the German Reich in view of its purely German character, as well as of the unanimous will of its population;

2. The territory of the so-called Corridor which extends from the Baltic Sea to the line Marienwerder-Graudenz-Kulm-Bromberg (inclusive) and thence may run in a westerly direction to Schoenlanke, shall itself decide as to whether it shall belong to Germany or Poland;

3. For this purpose a plebiscite shall take place in this territory. The following shall be entitled to vote: all Germans who were either domiciled in this territory on January 1, 1918, or who by that date have been born there, and similarly of Poles, Kashubes, etc., domiciled in this territory on the above day (January 1, 1918) or born there up to that date. The Germans who have been driven from this territory shall return to it in order to exercise their vote with a view to ensuring an objective plebiscite, and also with a view to ensuring the extensive preparation necessary therefor. The above territory shall, as in the case of the Saar territory, be placed under the supervision of an international commission to be formed immediately, on which shall be represented for four Great Powers—Italy, the Soviet Union, France and England. This commission shall exercise all the rights of sovereignty in this territory. With this end in view, the territory shall be evacuated within a period of the utmost brevity, still to be agreed upon by the Polish armed forces, the Polish police, and the Polish authorities;

4. The Polish port of Gdynia, which fundamentally constitutes Polish sovereign territory so far as it is confined territorially to the Polish settlement, shall be excluded from the above territory.

The exact frontiers of this Polish port should be determined between Germany and Poland, and, if necessary, delimited by an international committee of arbitration;

5. With a view to assuring the necessary time for the execution of the extensive work involved in the carrying out of a just plebiscite, this plebiscite shall not take place before the expiry of twelve months;

6. In order to guarantee unrestricted communication between Germany and East Prussia and between Poland and the sea during this period, roads and railways shall be established to render free transit traffic possible. In this connection only such taxes as are necessary for the maintenance of the means of communication and for the provision of transport may be levied;

7. The question as to the party to which the area belongs is to be decided by simple majority of the votes recorded;

8. In order to guarantee to Germany free communication with her province of Danzig-East Prussia, and to Poland her connection with the sea after the execution of the plebiscite—regardless of the results thereof—Germany shall, in the event of the plebiscite area going to Poland, receive an extra-territorial traffic zone, approximately in a line from Buetow to Danzig or Dirschau, in which to lay down a Motor Road and a 4-track railway line. The road and the railway shall be so constructed that the Polish lines of communication are not affected, i.e. they shall pass either over or under the latter. The breadth of this zone shall be fixed at 1 kilometre, and it is to be German sovereign territory. Should the plebiscite be favourable to Germany, Poland is to obtain rights, analogous to those accorded to Germany, to a similar extra-territorial communication by road and railway for the purpose of free and unrestricted communication with her port of Gdynia;

9. In the event of the Corridor returning to the German Reich, the latter declares its right to proceed to an exchange of population with Poland to the extent to which the nature of the Corridor lends itself thereto;

10. Any special right desired by Poland in the port of Danzig would be negotiated on a basis of territory against similar rights to be granted to Germany in the port of Gdynia;

11. In order to remove any feeling in this area that either side was being threatened, Danzig and Gdynia would have the character of exclusively mercantile towns, that is to say, without military installations and military fortifications;

12. The peninsula of Hela, which as a result of the plebiscite

might go either to Poland or to Germany, would in either case have similarly to be demilitarized;

13. Since the Government of the German Reich has the most vehement complaints to make against the Polish treatment of minorities, and since the Polish Government for their part feel obliged to make complaints against Germany, both parties declare their agreements to have these complaints laid before an international committee of enquiry, whose task would be to examine all complaints as regards economic or physical damage, and any other acts of terrorism. Germany and Poland undertake to make good economic or other damage done to minorities on either side since the year 1918, or to cancel expropriation as the case may be, or to provide complete compensation to the persons affected for this and any other encroachments on their economic life;

14. In order to free the Germans who may be left in Poland and the Poles who may be left in Germany from the feeling of being outlawed by all nations, and in order to render them secure against being called upon to perform action or to render services incompatible with their national sentiments, Germany and Poland agree to guarantee the rights of both minorities by means of the most comprehensive and binding agreement, in order to guarantee to these minorities the preservation, the free development and practical application of their nationality (Volkstum) and in particular to permit for this purpose such organization as they may consider necessary. Both parties undertake not to call upon members of the minority for military service;

15. In the event of agreement on the basis of these proposals, Germany and Poland declare themselves ready to decree and to carry out the immediate demobilization of their armed forces;

16. The further measures necessary for the more rapid execution of the above arrangement shall be agreed upon by both Germany and Poland conjointly.

PARTIAL TRANSLATION OF DOCUMENT TC–73 No. 147

FINAL REPORT FROM THE FORMER POLISH AMBASSADOR IN BERLIN TO THE MINISTER FOR FOREIGN AFFAIRS

PARIS, OCTOBER 10, 1939

[Polish White Book on Polish-German and Polish-Soviet Relations 1933-39]

In consequence of the German aggression against Poland, which was begun without declaration of war on September 1, 1939, at 4.45 a.m. (the hour at which the Germans started to bombard Westerplatte), I left Berlin with the personnel of the Embassy on September 2, and travelled to Poland through Denmark, Sweden, Finland, Estonia, and Latvia. Being obliged to leave Poland owing to the Soviet invasion, and now residing in France, I consider it my duty to present my final report on the termination of my mission in Berlin.

My mission to Germany began in September 1933. I fulfilled it first in the capacity of Minister Plenipotentiary and then, from October 1934, as Ambassador.

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Polish-German relations were based upon the Declaration of January 26, 1934, in which the Governments of both States undertook for a period of at least ten years to refrain from resort to force to settle any differences which might arise between them.

In the course of the negotiations which I conducted with the German Government, and which ended in the Declaration of January 26, 1934 it was expressly specified that existing international obligations of the two States would not be infringed by that Declaration, and this found expression in the text itself. This attitude of Poland's was fully accepted by authoritative German circles.

In the same way the principle of independence for Polish policy, which constituted the starting-point of the conversations with Chancellor Hitler, was fully confirmed in numerous conversations during the years 1934 to 1938 with the highest Reich officials, and was recognized as the basis of mutual relations.

As you are in possession of my previous reports on Polish-German relations during my mission in Berlin, in this report I shall confine myself to a chronological outline of the last phase of these relations, beginning with October 1938.

The German action in relation to Poland, initiated on October 24, 1938, in the form of suggestions which were withdrawn after a conversation on November 19, and put forward again in January 1939, in March 1939 assumed the form of pressure, supported by the entry of German troops into Slovakia and the naval demonstration at the occupation of Memel.

The question of the return of the Free City of Danzig to the Reich, raised by M. von Ribbentrop on October 24, was quite unexpected. Danzig questions had been the subject of several exchanges of opinion between the two Governments in previous years. A basis for understanding was provided by the declaration of the Reich Government, explicitly confirmed in the Chancellor's statements of November 5, 1937, and January 14, 1938, that the Reich respected the legal status of the Free City together with Polish rights and interests, while Poland for her part did not intervene in the life of the German population of Danzig.

While the central Reich authorities handled the Danzig situation on the basis of the above principles, in the territory of Danzig itself the activities of Gauleiter Foerster, a Party extremist, was the cause of numerous complications and tense situations from the moment of his arrival in the Free City. It can be said confidently that M. Foerster was the individual who contributed most to the continual misunderstandings and tension that arose between the two States. Obviously, it is difficult for me to estimate how far M. Foerster acted on his own initiative, and to what degree on the orders of the highest authorities of the Reich.

It frequently happened that after assurances in regard to Danzig questions had been given to me by members of the German Government, during the very next few days M. Foerster's activities, particularly his speeches to the Danzig Party Convention, negated what had been said in Berlin, and thus revived the atmosphere of distrust, particularly as it was known that he had close contacts with the German Chancellor.

In reply to M. von Ribbentrop's suggestions of October 24, the Polish Government handed him counter-proposals on November 19, 1938.

Subsequently these matters were raised by the Minister for Foreign Affairs, M. Beck, in conversations with Chancellor Hitler at Berchtesgaden on January 5, 1939, with the Reich Minister for Foreign Affairs, M. von Ribbentrop, in Munich on January 6, and during the latter's visit to Warsaw on January 26, 1939, the fifth anniversary of the signing of the Polish-German Declaration.

In the course of a casual exchange of views with the Chancellor at the reception to the Diplomatic Corps on March 2, he once more assured me that so long as he stood at the head of the Government of the Reich there was no need to fear that relations between the two countries would be exposed to danger.

During the period from October 1938 to March 1939 the German attitude towards us acquired certain features which in Poland began to evoke an understandable mistrust and criticism.

In connection with the problem of Sub-Carpathian Ruthenia terroristic Ukrainian elements, acting to the detriment of Polish interests and good Polish-Ukrainian relations, were supported by German propaganda and Party organs (S.S. and Gestapo). Vienna became the centre of these activities, and the wireless of that city incessantly disseminated Ukrainian broadcasts hostile to Poland. In Germany Ukrainian maps and pamphlets in the German language, directed against the integrity of the Polish Republic, were distributed.

Whenever Poland intervened on the matter the Germans always replied that their pro-Ukrainian activities were directed against the Soviets and not against Poland, and that if Ukrainian terroristic elements were supported by Germany, it was because they constituted the most active element among the Ukrainian emigres.

Similarly, on the territory of Slovakia Germany began to carry on activities hostile to Poland, and this activity grew stronger as the German plan for separating Slovakia from Bohemia was gradually realized.

Finally, during this period the attitude of Party elements in relation to Poland began to deteriorate—obviously as the result of instructions from above—and revisionist ideas concerning Polish territories were openly propagated.

In November 1938 direct Polish-German relations were exposed to serious difficulties as the result of the ruthless expulsion of 15,000 Jews of Polish citizenship from Germany.

Summing up, I wish to state that the above period brought with it a deterioration in Polish-German relations unprecedented since the conclusion of the Declaration of 1934, and great efforts had to be made by Poland in order to avoid still greater friction.

The crisis in Polish-German relations began in the first half of March 1939.

Acting by surprise, and without any contact with the Polish Government, the Germans created a new situation on the Polish frontier, annexing Bohemia and Moravia, extending a protectorate over Slovakia, building fortifications and establishing garrisons in Western Slovakia, and, finally, establishing a naval base at Memel.

In the course of these German activities, which developed at lightning speed, I tried in vain from March 11 to 13 to obtain an interview with the German Minister for Foreign Affairs and the Secretary of State. On the evening of March 13 I chanced to meet General von Keitel, and informed him that—despite German activities so immediately affecting Poland—for three days I had been unable to make contact with the German Government. General von Keitel promised to intervene with M. von Ribbentrop the next day on the matter, but this brought no result.

The German assumption of a protectorate over Slovakia was a step explicitly directed against the security of Poland, and the fact that it was carried out in conditions of complete secrecy from the Polish Government was in contradiction to the principles on which the execution of the 1934 Declaration was based. The military operations against Poland in the southern sector in September completely confirmed this.

It was in this atmosphere of tension between the two countries that I had a conversation on March 21 with the Reich Minister for Foreign Affairs, at his invitation.

Without going into the details of that interview, I wish only to recall that the tone of M. von Ribbentrop's exposition departed considerably from that in which matters affecting the two Governments had been previously discussed, and was in the nature of definite pressure. He put forward the German claims, and urged that the Polish Government should take the swiftest possible decision. In this conversation M. von Ribbentrop made no reference whatever to the ultimatum in regard to Memel, which he had presented the previous day to the Lithuanian Minister for Foreign Affairs. When I inquired about his meeting with M. Urbsys, he confined himself to a few explanatory remarks of a purely general character.

The news of the entry of German troops into Memel, and of the Chancellor's demonstrative voyage at the head of the German Fleet along our coast, was as great a surprise to Polish public opinion as the German entry into Slovakia had been.

Despite the prevailing atmosphere, which certainly was not conducive to negotiations, the Polish Government did not hold aloof from further discussions with the German Government. On March 26 I handed M. von Ribbentrop our counter proposals, in the form of a written note, in respect to Danzig and the motor road. Although M. von Ribbentrop's personal reaction to it was of a negative character, he stated that he would communicate a reply only after the matter had been referred to the Chancellor. The reply in question was not transmitted to me, and only on the occasion of his speech to the Reichstag on April 28 did Chancellor Hitler impart it publicly.

As is known, the Polish Government, not wishing to increase the tension, and desirous of leaving the way open for further conversations, maintained discretion as to the subject of the exchanges of opinion which had taken place in March. By his declaration to the Reichstag on April 28 and his unilateral denunciation of the Declaration of January 26, 1934, which forbade resort to force in mutual relations between the two States, Chancellor Hitler annulled the policy inaugurated between Poland and Germany in 1933.

In his conversation with me on March 26, M. von Ribbentrop spoke strongly against the military steps Poland had taken. Coming from the Reich Minister for Foreign Affairs after the German Army's occupation of Prague, the entry into Slovakia, and the naval demonstration off the Polish coast, this objection sounded strange, to say the least.

In the face of Germany's obvious steps, of a military character, towards encirclement of Poland to north and south, steps about which, moreover, Poland was left completely uninformed by Berlin, it is difficult to imagine how the responsible Polish authorities could have been expected not to take certain precautionary measures. Germany's explanation that Poland, by forming an alliance with Great Britain, had joined the so-called "encirclement front" against Germany, and so had violated the Declaration of January 26, 1934, is, in the light of the situation brought about by German action, entirely groundless. This without reference to the legal aspect of the problem, which was thoroughly covered in the Polish Government's memorandum to the Reich Government on May 5.

The 1934 Declaration was concluded for a term of ten years. For this period both States renounced resort to force in their mutual relations. The application of force can be direct, that is to say, through a direct attack by the particular State. But it can equally well be applied by indirect methods, which sometimes are even more dangerous, because they are less apparent to the world. The tactics employed by Chancellor Hitler's Government usually relied on the second method.

At the time of the March incidents we had to deal with a definite instance of pressure brought to bear on Poland through her military encirclement.

I should remark that in another conversation which I had with M. von Ribbentrop on March 27, 1939, I made the suggestion that public opinion in both countries might be appeased by the publication of a few reassuring words from the two Governments. The Reich Minister for Foreign Affairs rejected this suggestion.

After Chancellor Hitler's speech on April 28 I left for Warsaw, and went back to Berlin in the second half of May.

On my return I took steps to ascertain whether there was any desire on the German side for conversations with us. I was given to understand that authoritative German circles did not consider the moment suitable for discussions and that a certain period of time must elapse to allow the atmosphere to clear.

The whole of German diplomacy was taking the line of opposition to Great Britain. The German Press was chiefly attacking Great Britain, endeavouring to represent the attitude Poland had taken towards the German demands as resulting from the Anglo-Polish Agreement.

Grave signs of Germany's aggressive intentions became more and more apparent. Rearmament proceeded at an unprecedented pace, and the General State administration was entirely subordinated to military requirements.

From April onward contraband in arms developed on a large scale in the territory of Danzig, being carried on by land, sea and air. Simultaneously it was observed that fortifications were being clandestinely built. It became apparent that, contrary to international agreements, the Free City, in understanding with the Reich, was heading for complete militarization.

In spite of Danzig's continual violation of binding agreements, the Polish Government, anxious to avoid a conflict with the Reich, displayed until the end the utmost restraint.

From April onward a considerable aggravation of the situation occurred in the sphere of national minorities. The reason for this has to be sought in the German aim to exterminate the Polish element in the Reich, which was to be achieved through the totalitarian legislation and the Party machinery, and by placing the practical control of the entire life of the Polish minority in Germany in the hands of the Gestapo.

On the other hand, the German propaganda machine launched a violent campaign in defense of the allegedly oppressed German minority in Poland. In this connection I desire to recall that National-Socialism has created a special doctrine for Germans living abroad, subordinating them to the interests of Reich foreign policy. This became the subject of numerous conflicts with various countries, even in South Africa.

This National-Socialist activity in Poland increased in strength from April onward, when the German Government decided—as was confirmed by the numerous cases reported during the first days of the war—to exploit the German minority for diversionist, political and even military aims.

During the period of my mission in Berlin I frequently drew the attention of authoritative German circles to the need for minorities, in the interests of good Polish-German relations, to confine their activities to the cultural and educational sphere. The subjugation of the German minority to Reich policy hostile to Poland was, of course, bound to provoke an understandable reaction on our part.

As in the case of the Sudetens, German propaganda exaggerated every little incident among the German minority in Poland, and in the final phase the Press was daily publishing completely fictitious stories.

Any measures against espionage, treason or sabotage were represented as persecution of the cultural life of the German minority. For lack of other material, the same incidents were written up in various ways, to be republished as new acts of terrorism.

I have many proofs that a large part of public opinion in Germany finally ceased to give credence to this exaggerated propaganda.

In spite of the prevailing tension between Poland and Germany, members of the Embassy maintained normal contact on current matters with the Ministry for Foreign Affairs. During my frequent absences from Berlin the Charge d'Affaires, Prince Lubomirski, often saw the Under-Secretary of State, M. Woermann, and other high officials in order to discuss various matters, and he took every opportunity of indicating our desire for action to moderate the tone of the Press in both countries. This, however, produced no response from the head of the Press Department of the Ministry for Foreign Affairs.

By the end of July the clandestine mobilization in Danzig was proceeding at an extraordinarily intensive pace.

At the beginning of August occurred the well-known incident of the Free City's attempt to rid itself of the Polish Customs control.

On August 9 the State Secretary, M. von Weizsacker, asked the Polish Charge d'Affaires, Prince Lubomirski, to call on him, and made an oral statement on the Danzig Customs inspectors' incident. This step was tantamount to German Government interference in relations between Poland and the Free City. The State Secretary avoided giving any explanation of this action.

The Polish Government gave its reply, also in oral form, to the German Charge d'Affaires in Warsaw the next day.

From the beginning of August frontier incidents staged by the Germans increased in number, not only in the Danzig sector, but along the entire Polish-German frontier. The tone of the German Press became more and more aggressive. The entire propaganda machine was directed against Poland and her integrity.

On August 21 came the announcement of M. von Ribbentrop's imminent departure for Moscow to conclude a Soviet-German Pact of Non-Aggression. The Soviet-German negotiations had been shrouded in the deepest secrecy, and rumours of them were received only from certain indirect sources. Down to the last moment the Soviet Embassy in Berlin flatly denied the existence of any political negotiations, intimating that only economic matters were being discussed.

This step on the part of the German Government constituted a complete reversal of their international policy. Under the slogan "The fight against Bolshevism" Chancellor Hitler had engaged in the Spanish Civil War, and had created the so-called Anti-Comintern Bloc. During the whole of my six-year stay in Berlin the German Chancellor, as well as all his collaborators, continually declared that the foundation of Hitler-German policy was exclusion of Soviet Russia from Europe and the struggle against Communism. M. von Ribbentrop more than once told me of his view that Poland should join the Anti-Comintern Pact and that Russia must be pushed still farther east.

By signing the Pact with Moscow Chancellor Hitler threw over his own principles, thus demonstrating that behind his actions was only an opportunism of the moment.

On August 24 at five p.m. I was received by Field-Marshal Goering, with whom I talked for over an hour. The conversation was of a friendly character; it was more a personal than official exchange of opinion, and M. Goering laid particular emphasis on this circumstance. I recall the more important points of the conversation:

M. Goering expressed regret that the policy of Polish-German understanding lay in ruins and, seeking the causes, declared that but for the Anglo-Polish Alliance the crisis would not have developed on such a scale, in spite of the difficulties over Danzig.

He gave it unequivocally to be understood that he anticipated war with Poland.

He admitted that by concluding a pact with Russia the Reich had made a complete volte-face, and explained that in her international relations Germany must choose between England and Russia.

For my part, I pointed out that Poland followed a consistent policy in relation to both Germany and Russia.

I observed that Moscow desired to provoke war in Europe, which Goering did not deny.

I said I was at the Chancellor's disposition if that would assist in finding a way out of the situation. M. Goering assured me he would inform the Chancellor accordingly.

The British Government, and later the French Government, began their efforts at mediation with the Reich Government on August 22.

I shall not go into details of these negotiations here, as during that period there was a direct exchange of views between Warsaw, Paris and London. I desire only to point out that I was in continual touch with the French Ambassador, M. Coulondre, and the British Ambassador, Sir Nevile Henderson. Both these ambassadors spared no effort and did their utmost to save the peace and bring about direct negotiations between Poland and Germany to clear up the situation.

I cannot omit mention here of the moderating influence of the Italian Ambassador, M. Attolico, who during the years we spent together in Berlin worked unremittingly in the cause of peace.

On August 23 Sir Nevile Henderson presented M. Hitler with a letter in M. Chamberlain's own hand. He received a negative reply.

From August 25 onward, German action against Poland assumed a character verging on aggression. The troop concentrations on the Polish frontier, observed for several days past, steadily increased in dimensions. It was significant that on that day telephonic communication between Germany and the West was cut off. Frontier provocations grew more and more frequent and grave. On that same day Prince Lubomirski handed a note of protest to the German Ministry for Foreign Affairs in connection with these incidents. The Consulate at Marienwerder reported the severing of telephone lines. The Consul submitted a protest to the president of the region, and personally intervened with him in respect to the deportation from Marienwerder of the teaching staff of the Polish High School. On his return the Consul was confronted with the police, who had forced their way into the Consulate building and had taken possession of it.

The Chancellor asked the British Ambassador to call on him, and put forward a proposal for an understanding with Great Britain. The next day the British Ambassador flew to London. The Chancellor also received the French Ambassador.

On August 26 I visited the Under Secretary of State, M. Woermann, and handed him a note protesting against the previous day's violation of the Polish frontier on the East Prussian sector by a patrol of ten German soldiers. During this incident a German corporal was shot dead on Polish territory, some 300 metres from the frontier. The Germans left a machine-gun behind.

Then I submitted a note protesting against incidents which had occurred on August 24 on the Silesian sector, during which Polish frontier patrols had been shot at by Germans.

On that same day news was received that M. Foerster had been appointed head of the Free City of Danzig.

And on the same day the French Ambassador handed M. Hitler a letter from M. Daladier.

On August 27 the issue of food-ration cards was announced in Germany and arrangements were made for controlling sales of ready-made clothing. Military and air attaches were informed that they must not leave the district of Berlin without special permission from the German War Office. There followed an extensive calling up of older categories of reservists.

M. Hitler handed the French Ambassador a letter for M. Daladier.

On August 28 the Germans published the notes exchanged between M. Daladier and M. Hitler, in which the latter for the first time officially demanded the union not only of Danzig but also of Pomorze with the Reich. Late in the evening the British Ambassador, who had returned from London, presented the British Government's reply.

On August 29 the German Chancellor informed Sir Neville Henderson that he would expect a Polish representative with full powers on August 30, and that the German demands concerned the return of Danzig and Pomorze to Germany as well as protection of the German minority in Poland. The German Government made their participation in an international guarantee to Poland dependent on the Soviet Government's attitude.

On August 31, at 2 a.m. I saw Sir Neville Henderson, when he informed me of his conversation with the German Minister for Foreign Affairs. I learned that M. von Ribbentrop had prepared certain demands in the sphere of Polish-German relations. The British Ambassador could not give me any details, as M. von Ribbentrop had read out the German demands very rapidly and had refused to provide him with a copy of the text.

Sir Neville Henderson pointed out how threatening was the situation, and advised the establishment of direct Polish-German contact. We discussed the most effectual means of achieving this. I told the British Ambassador that I would immediately report to my Government.

To this end, in addition to telegrams, early in the morning I sent Prince Lubomirski to Warsaw. As Germany had suspended all regular means of communication with Poland, Prince Lubomirski motored to Poznan and thence flew to Warsaw, arriving before noon.

Soon after 12 o'clock I received telegraphic instructions from Warsaw to hand the Minister for Foreign Affairs a declaration of the Polish Government's favourable attitude to any proposal for direct negotiations.

At 1 p.m. I asked for an interview with the Minister for Foreign Affairs for the purpose of presenting my Government's communication.

At 3 p.m. the State Secretary, M. von Weizsacker, telephoned to inquire whether I sought an interview with the Foreign Minister in the capacity of a fully empowered delegate or in some other capacity. I replied that I was asking for an interview as Ambassador, to present a declaration from my Government.

At 6.15 p.m. I was requested to call on M. von Ribbentrop immediately. He received me in the presence of Minister Schmidt.

Having communicated my Government's declaration, I presented it in writing:

"Last night the Polish Government were informed by the British Government of an exchange of views with the Reich Government as to a possibility of direct negotiations between the Polish and the German Governments.

"The Polish Government are favourably considering the British Government's suggestion, and will make them a formal reply on the subject during the next few hours."

I added that I had been trying to present this declaration since 1 p.m.

M. von Ribbentrop asked me whether I had come in the capacity of delegate with full powers, to which I replied that for the time being I had only been instructed to submit the above declaration for the German Government's information.

M. von Ribbentrop asked whether I was acquainted with the latest Anglo-German conversations, to which I answered that I had received indirect information regarding them, since these matters had been handled directly between Warsaw and London.

At the end of our conversation M. von Ribbentrop stated that he had thought I would come as a fully empowered delegate, and that he would inform the Chancellor of the Polish Government's declaration.

On my return to the Embassy I found myself unable to communicate with Warsaw, as the Germans had cut the telephone lines. This prevented my getting in touch with my Government by the quickest means. On August 26 the German authorities had severed direct railway communication with Poland. Telephonic communications had similarly been rendered impossible or impeded since the same date.

I informed the French and British Ambassadors of the nature of my conversation with M. von Ribbentrop. I learned of the invitation extended by the State Secretary to both Ambassadors and the American Charge d'Affaires, to call at the Ministry for Foreign Affairs between 9 and 10 p.m. There they were informed that as a Polish plenipotentiary had not arrived, it was considered that the German proposals contained in sixteen points had been rejected by Poland. I desire to state emphatically that the German demands, contained in sixteen points, have never been handed or communicated to me by the German Government.

The German wireless had broadcast a similar communique at 9 o'clock, publishing the German proposals as comprised in the sixteen points, while the Press issued special editions. Not until the German proposals were published in the Press did I learn of their exact nature.

At about 11 p.m. Prince Lubomirski arrived by car from Warsaw. During the same night the German wireless stations broadcast false information of aggressive action taken by Polish military detachments on the German frontier. The same night I had yet another conversation with the French and the British Ambassadors.

In the early hours of September 1 I learned from the wireless that German armed forces had invaded Poland, and that the German air force had bombed a number of Polish towns.

In the morning I received a note from the Ministry of Foreign Affairs, stating that in the interests of my personal safety I was requested not to leave the Embassy building. At about 1 p. m. Prince Lubormirski called in my name on the Director of the Protocol, Baron Doernberg, and asked for my passports.

Arrangements for our departure were discussed. I suggested the route via Hungary, whereas the Ministry for Foreign Affairs considered that for technical reasons departure to Denmark would be more desirable. It was arranged with the Ministry for Foreign Affairs that the personnel of the Berlin Consulate would leave simultaneously with that of the Embassy, while the personnel of other Polish consulates would leave separately and by different routes.

I collected the Embassy personnel in the Embassy building.

In accordance with arrangements made between the Polish and Swedish Governments for the protection of the property and citizens of the State of Poland in Germany, in the event of war, I exchanged notes with the Swedish minister, M. Richert, handing over this charge to him. M. Richert and his staff accorded us every attention.

I handed the keys of the Embassy building and those of the Berlin Consulate General to the Councillor of the Swedish Legation, M. de Post, who was present at our departure.

In the evening of September 1 I received a note from the Ministry for Foreign Affairs, requesting me to communicate to the Polish Government the German Government's declaration of its intention to refrain from bombarding open towns, provided a similar undertaking was given by the Polish Government. I replied immediately with an unofficial note to say that, owing to the absence of communications, I was not able to transmit the contents of the German note to my Government. Shortly afterwards the Ministry for Foreign Affairs telephoned to say that they were prepared to establish telephonic communication with Warsaw via Denmark, to which I expressed my assent. Thus the Ministry for Foreign Affairs in Warsaw were informed of the German note.

On September 2, the sixth anniversary of my arrival in Berlin, with the members of the Embassy and the Consulate General in Berlin I left in a special train which departed from the Charlottenburg Station at 8:30 a. m. for Denmark. A representative of the Protocol accompanied us to the frontier.

Every courtesy was shown us during the journey.

The halt at the Danish frontier station of St. Peter lasted all the day of September 3, pending agreement as to the date when the members of the German Embassy in Warsaw were to cross the Lithuanian frontier. We crossed the Danish frontier during the night of September 4-5.

Immediately before my departure from Germany I was notified by the representative of the Protocol that, as two members of the German Embassy had been detained in Poland, he was obliged to hold the Assistant Military Attache, Captain Bialy, and Embassy Attache M. Szubert, in Germany. I commended them by telephone to the special care of the Swedish Minister in Berlin. On the following day the matter of the detention was settled, and MM. Bialy and Szubert duly arrived in Denmark.

In Denmark we were given a most hospitable and cordial reception.

BERLIN, 2nd January, 1938.

VERY CONFIDENTIAL
PERSONAL ONLY
Memo for the Fuehrer

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Deductions on the report "German Embassy London A5522" regarding the future form of Anglo-German relations.

With the realization that Germany will not tie herself to a status quo in Central Europe and that sooner or later a military conflict in Europe is possible, the hope of an agreement will slowly disappear amongst Germanophile British politicians, in so far as they are not merely playing a part that has been given to them. Thus the fateful question arises—Will Germany and England eventually be forced to drift into separate camps and will they march against each other one day. To answer this question one must realize the following:

A change of the status quo in the East in the German sense can only be carried out by force. As long as France knows that England, which so to speak has taken on a guarantee to aid France against Germany, is on her side, France's fighting for her Eastern allies is probable, in any case *always* possible and thus with it, war between Germany and England. This applies then even if England does not want war. England, believing she must defend her borders on the Rhine would be dragged in automatically by France, in other words, peace or war between England and Germany rests solely in the hands of France, who could bring about such a war between Germany and England by way of a conflict between Germany and France. It follows therefore that war between Germany and England on account of France can be prevented only if France knows from the start that England's forces would not be sufficient to guarantee their common victory. Such a situation might force England and thereby France to accept a lot of things that a *strong* Anglo-French Coalition would never tolerate. This position would arise, for instance, if England, through insufficient armament or as a result of threats to her Empire by a superior coalition of powers, (e.g. Germany-Italy-Japan) thereby tying down her military forces in other places, would not be able to assure France of sufficient support in Europe. Regarding the question of the coalition of powers, this depends on further developments, on our policy of alliances and on the future position of British-American relations. It would be unfavourable to England, if she, not yet sufficiently armed, should stand opposed to the above mentioned coalition by herself. However, this coalition would have to be firmly welded and there must be no doubt in England and France about the fact that Italy and Japan are firmly on our side, and that if necessary the combined forces of the coalition would be employed at one stroke. Italy's and Japan's interest in a strong Germany is as great as ours in a strong Italy and Japan. The existence of the new Germany has been of great advantage to both of them in their efforts to expand during the last few years. With reference to this and to common aims in the future it should be possible to get these two powers to announce their solidarity with us at the right time. Given such a situation it may be possible that England would prevent France from interfering in the event of a war by Germany against one of France's allies in the East, so as to localize the conflict and that England should not be forced through France's interfering to have to fight for her Empire under unfavourable conditions, possibly in three places, in the Far East, in the Mediteranean and in Europe. Even if it should mean a considerable strengthening of Germany, England, in my opinion, would not risk fighting for her Empire under unfavourable conditions for the sake of a local Central European conflict. In such a case France, without England, would hardly have the nerve to run against the German fortifications in the West by herself. The deciding factor which appears to me in this connection is the speed with which such a Central European war could be victoriously decided. In the event of a lightning success I am convinced that the West would not interfere. A lengthy campaign, however, might give our enemies the idea that they had over-rated Germany's strength and with this the moment of intervention by the Western powers would have come decidedly near.

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In conclusion I should like to summarize my ideas with the following headings:

1. England is *behindhand with her armaments* and therefore is playing for time.
2. England believes that in a competition with *Germany time is on English side*—utilization of her greater economic possibilities for her armaments—time for the extension of her treaties (e.g. U. S. A.)
3. The Halifax visit is therefore to be regarded as a reconnaissance and screening movement, also Germanophiles in England are for the most part only playing the parts they have been given.

4. In my opinion *England and her Prime Minister* do not see in Halifax's visit the possibility of the basis of an agreement with Germany—they have as much faith in National Socialist Germany as we have in England—therefore they fear one day they may be forced by a strong Germany to a solution which is not agreeable to them—to counter this *England is preparing* herself in any case militarily and politically *for war with Germany.*

5. Therefore conclusions to be drawn by us:

i. Outwardly further understanding with England in regard to the protection of the interests of our friends.

ii. Formation under great secrecy but with wholehearted tenacity of a coalition against England—i.e. a tightening of our friendship with Italy and Japan—also the winning over of all nations whose interests conform with ours directly or indirectly —close and confidential co-operation of the diplomats of the three great powers towards this purpose. Only in this way can we confront England be it in a settlement or in war. England is going to be a hard and astute opponent in this game of diplomacy.

6. The particular question whether in the event of a war by Germany in Central Europe, France and thereby England would interfere depends on the circumstances and the time at which such a war commences and ceases and on military considerations which cannot be gone into here. I should like to give the Fuehrer some of these points of view verbally.

PARTIAL TRANSLATION OF DOCUMENT TC-76

Berlin 26th August 1938
(signed) Pruefer.

G/19

To the Reichminister via the State Secretary.

MOST SECRET.

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II

4. The most pressing problem of German policy, the Czech problem, might easily, but must not lead to a conflict with the Entente. Neither France nor England are looking for trouble regarding Czechoslovakia. Both would perhaps leave Czechoslovakia to herself, if she should, without direct foreign interference and through internal signs of disintegration, due to her own faults, suffer the fate she deserves. This process, however, would have to take place step by step and would have to lead

to a loss of power in the remaining territory by means of a plebiscite and an annexation of territory.

The Czech problem is not yet politically acute enough for any immediate action, which the Entente would watch inactively, and not even if this action should come quickly and surprisingly. Germany cannot fix any definite time and this fruit could be plucked without too great a risk. She can only prepare the desired developments.

For this purpose the slogan emanating from England at present of the right for autonomy of the Sudeten-Germans, which we have intentionally not used up to now, is to be taken up gradually. The international conviction that the choice of nationality was being withheld from these Germans will do useful spadework, notwithstanding the fact that the chemical process of dissolution of the Czech form of states may or may not be finally speeded up by mechanical means as well. The fate of the actual body of Czechoslovakia, however, would not as yet be clearly decided by this: but would nevertheless be definitely sealed.

5. This method of approach towards Czechoslovakia is to be recommended because of our relationship with Poland. It is unavoidable that the German departure from the problems of boundaries in the South East and their transfer to the East and North East must make the Poles sit up. The fact that after the liquidation of the Czech question, it will be generally assumed that Poland will be the next in turn.

But the later this assumption sinks in in international politics as a firm factor, the better. In this sense, however, it is important for the time being, to carry on the German policy, under the well known and proved slogans of "the right to autonomy" and "Racial unity". Anything else might be interpreted as pure imperialism on our part and create the resistance to our plan by the Entente at an earlier date and more energetically, than our forces could stand up to.

PARTIAL TRANSLATION OF DOCUMENT TC-77

II

MEMORANDUM OF A CONVERSATION BETWEEN HITLER, RIBBENTROP AND CIANO, OBERSALZBERG, AUGUST 12, 1939

At the beginning of the conversation the Fuehrer, with the aid of maps showed Count Ciano the present position of Germany from a military point of view. He particularly emphasized the German Western fortifications. There were the points at which in earlier times the French, for geographical and strategical reasons, had always attempted a "break-through". These points had now been protected with special care, so that a "break-through" was impossible at any of them. The western fortifications had been carried along the Luxembourg and Belgian frontiers to the borders of Holland so that a violation of the Belgian frontier would no longer bring any advantages to France, but would invoke the serious risk that Belgium, in order to defend her neutrality, and under pressure of the Flemish element in her population, would place herself on the German side. The one remaining possibility of attack was, theoretically, across the Netherlands, but, according to the view of the Fuehrer, the Dutch would defend their neutrality with energy because they knew that if they took part in a general war they would lose to Japan their almost undefended East-Asian colonies. Furthermore, in view of the countless rivers and canals, and of the possibility of flooding wide areas of the lowlands, the Netherlands offered very unsuitable territory as a starting-off point for a great army. Germany would obviously invade the Netherlands, in the event of a violation of Dutch neutrality and, owing to the very short distance of the German frontier from the Meuse, could reach this river within a few hours. Finally the Rhine, which in Holland was 1–1½ miles broad, offered a natural protection against attacks from this direction.

The third possibility of an attack in Germany consisted in blockade by the British navy. In this connection it should be remembered that the great range of the latest German bombers brought the whole of England within their sphere of action and would allow them to attack the blockading ships from the air. There were no other possibilities of attacking Germany. The Scandinavian countries would doubtless remain neutral and they were certain that neither side would attack them because the occupation of countries as large as Norway and Sweden hardly came into consideration (it was not a practical question). Similarly Switzerland would certainly oppose to the uttermost any attempt on her neutrality.

In the East Germany had also erected strong defenses. The Fuehrer showed Count Ciano the various defense systems of East Prussia. On the other frontier strong fortifications were being constructed and as on the Polish frontier opposite Berlin was built up into an impregnable system of successor lines. The capital, however, was only 150 km. from the Polish frontier, and therefore exposed to air attack especially because, owing to its great size, could be bombed from a very great height without attacking particular targets but with a certainty that bombs would fall somewhere within the city area.

Turning to the military position of the Western Powers the Fuehrer pointed again to the vulnerability of England from the air. British aircraft production had made progress, but protected measures against raids were still much in arrears. It was known that England had decided only in the previous Autumn upon the definite type of anti-aircraft gun. The German experience of their own seven years of rearmament assured them that large scale production was possible only some long time after the selection of a prototype, so that no real anti-aircraft protection could come into existence in England for one or two years. Furthermore, London and all the large British cities and centres of industry suffered from the same disadvantage as Berlin in relation to air attack; bombing can be carried out from a great height and out of range of English anti-aircraft guns with the complete certainty that the results would always be successful.

At sea, England had for the moment no immediate reinforcements in prospect. Some time would elapse before any of the ships now under construction could be taken into service. As far as the land army was concerned, after the introduction of conscription 60,000 men had been called to the colors. If England kept the necessary troops in her own country she could send to France at the most two infantry divisions and one armoured division. For the rest she could supply a few bomber squadrons but hardly any fighters since, at the outbreak of war the German Air Force would at once attack England and the English fighters would be urgently needed for the defense of their own country. With regard to the position of France, the Fuehrer said that in the event of a general war, after the destruction of Poland (which would not take long), Germany would be in a position to assemble hundreds of divisions along the West Wall and France would then be compelled to concentrate all her available forces from the Colonies, from the Italian frontier and elsewhere on her own Maginot Line for the life and death struggle which would then ensue. The Fuehrer also thought that the French would find it no easier to overrun the Italian fortifications than to overrun the West Wall. Here Count Ciano showed signs of extreme doubt.

The Polish Army was most uneven in quality. Together with a few parade divisions, there were large numbers of troops of less value. Poland was very weak in anti-tank and anti-aircraft defense and at the moment neither France nor England could help her in this respect. If, however, Poland were given assistance by the Western Powers, over a longer period, she could obtain these weapons and German superiority would thereby be diminished. In contrast to the fanatics of Warsaw and Cracow, the population of their areas was different, furthermore, it was necessary to consider the position of the Polish state. Out of 34,000,000 inhabitants, 1½ million were German, about 4 million were Jews and 9 million Ukrainians, so that genuine Poles were much less in number than the total population and as already said, their striking power was not to be valued highly. In these circumstances Poland could be struck to the ground by Germany in the shortest time.

Since the Poles through their whole attitude had made it clear that in any case in the event of a conflict they would stand on the side of the enemies of Germany and Italy, a quick liquidation at the present moment could only be of advantage for the unavoidable conflict with the Western Democracies. If a hostile Poland remained on Germany's Eastern frontier, not only would the eleven East Prussian divisions be tied down, but also further contingents would be kept in Pomerania and Silesia. This would not be necessary in the event of a previous liquidation. Generally speaking, the best thing to happen would be for the neutrals to be liquidated one after the other. This process could be carried out more easily if on every occasion one partner of the Axis covered the other, while it was dealing with an uncertain neutral. Italy might well regard Yugoslavia as a neutral of this kind. The Fuehrer had told the Prince Regent on his visit to Germany that, with special relation to Italy, he should make a gesture showing that he sided politically with the Axis and thought of a closer connection with the Axis and of the withdrawal of Yugoslavia from the League of Nations. Prince Paul agreed with the latter proposal. The Prince Regent had recently been to London and had tried there to reinsure himself with the Western Powers. He had thus taken the same line as Gafencu who had also been extremely reasonable during his visit to Germany and had repudiated an interest in the importance of the Western Democracies. It appeared that subsequently Gafencu had taken up an opposite standpoint in England. Of the Balkan countries, the Axis could trust completely Bulgaria alone as to some extent a natural ally of Italy and Germany. Therefore Germany had supplied Bulgaria as far as possible with armaments and would continue to do so. Yugoslavia would remain neutral only as long as it was dangerous for her to come openly onto the side of the Western Democracies. If matters took a turn for the worse for Germany and Italy, Yugoslavia would openly join the other side in the hope that she would then influence the course of events to take an official turn to the disadvantage of the Axis. Roumania was afraid of Hungary and from the military point of view externally weak and internally corrupt. King Carol would certainly abandon his neutrality if he were compelled to do so. Hungary was friendly and Slovakia was under German influence with German garrisons in certain areas.

Coming back to the Danzig question, the Fuehrer said that it was impossible for him now to go back. He had made an agreement with Italy for the withdrawal of the Germans from South Tyrol, but for this reason he must take the greatest care to avoid giving the impression that this Tyrolese withdrawal could be taken as a precedent for other areas. Furthermore, he had justified the withdrawal by pointing to a general easterly and north easterly direction of a German policy. The East and North-East, that is to say the Baltic countries, had been Germany's undisputed sphere of influence since time immemorial, as the Mediterranean had been an appropriate sphere for Italy. For economic reasons also, Germany needed the foodstuffs and timber from these Eastern regions. In the case of Danzig, German interests were not only material, although the city had the greatest harbor in the Baltic. Danzig was a Nurnberg of the north, an ancient German City awaking sentimental feelings for every German and the Fuehrer was bound to take account of this psychological element in public opinion. To make a comparison with Italy, Count Ciano should suppose that Trieste was in Yugoslav hands and there a large Italian minority was being treated brutally on Yugoslav soil. It would be difficult to assume that Italy would long remain quiet over anything of this kind.

Count Ciano in replying to the Fuehrer's statement first expressed the great surprise on the Italian side over the completely unexpected seriousness of the position. Neither in the conversations in Milan nor in those which took place during his Berlin visit had there been any sign from the German side that the position with regard to Poland was so serious. On the contrary, Ribbentrop had said that in his opinion, the Danzig question would be settled in the course of time. On these grounds, the Duce, in view of his conviction that a conflict with the Western Powers was unavoidable, had assumed that he should make his preparations for this event, he had made plans for a period of two or three years. If immediate conflict were unavoidable, the Duce as he had told Ciano, would certainly stand on the German side but for various reasons he would welcome the postponement of a general conflict until a later time. Ciano then showed with the aid of a map, the position of Italy in the event of a general war. Italy believed that a conflict with Poland would not be limited to that country but would develop into a general European war.

The Fuehrer commented that on this point there were differences of opinion. He personally was absolutely certain that the Western Democracies in the last resort would shrink from entering into a general war.

Count Ciano replied that he wished that the Fuehrer were right, but that he did not think so, in any case it was necessary to consider the most unfavorable case that is to say a general war. Since the Abyssinian war, Italy had lived in a perpetual state of war and therefore needed a breathing space. Ciano then gave figures to show how great the material effort of Italy had been in relation to the Spanish war. Italian supplies of raw material were completely exhausted and it is necessary to allow time for their replacement. The Italian war industries which were in exposed sites and must also be moved south for purposes of defense. The Italian artillery, especially anti-aircraft guns, greatly needed modernization. The long coast line and other exposed places were most insufficiently defended. The naval position was almost unfavorable. At present Italy could only provide two battleships to meet the eleven or twelve battleships of the combined British and French fleet, whereas, in a few years she would have eight more ships at her disposition. (These figures were disputed by the Fuehrer). Ciano said that the long Italian coast was difficult to defend and that the Anglo-French fleets had many bases at their disposition and particularly in harbors of Greece.

Italy was especially vulnerable in her colonies although Libya was difficult to attack from Egypt, and the Italians might be able to reach Mersamatruh. On the other hand the position was very different in Tunis. The relation between the Italian-Arab and the French-Arab population there was 1-20, while the strength of the European troops was 1-5 to the disadvantage of Italy. Furthermore, the Italian fortifications on the side of the French frontier were completely insufficient and new pillboxes were needed.

Abyssinia was almost pacified as far as certain areas along the frontier merging with British territory were concerned. English gold and propaganda raised trouble upon the population. This pacification, however, was only superficial. In a general war it would suffice if a few English aeroplanes were to drop leaflets in Abyssinia maintaining that the world had risen against Italy and that the Negus would come back to cross the Abyssinian frontier. Furthermore, in the case of war Abyssinia would be completely cut off from Italy and the fate of the 200,000 Italians in the country would be completely uncertain. In a few days there would be an army of 4 to 5,000,000 men in Abyssinia able to advance successfully. In the case of war against the Sudan, Kenya and French Somaliland, the islands of the Dodecanese would be in a difficult position owing to the attitude of Turkey. Leros and Rhodes could defend themselves for years. Albania was a completely undeveloped country and could not for some years to come form a workable basis of operations against the Balkans, roads would have to be built and it would be necessary to exploit the mineral wealth, iron, copper, chrome and oil, after which a successful advance could be made to Salonika and other directions in the Balkans.

In the economic sphere Italy had plans of autarky which would take some years for realization after which she would be in a position to endure a longer war without difficulties. An additional reason for the Duce's wish to postpone the conflict, was the question of the Italians abroad who should be brought back to Italy according to plan. There were a million Italians in France from whom about 700,000 could be regarded as still belonging to Italy, the remaining 300,000, however, in the case of war with France would be used as hostages as was clear from the measures taken in France in September of the previous year.

Finally the Duce himself set great importance upon carrying through the Rome Exhibition in the year 1942 for which the large scale preparations had been made and from which in the economic sphere and particularly in the matter of foreign currencies favorable results were expected.

In addition to these considerations especially affecting Italy there were other factors of a general political kind tending to favor the postponement of a general war. According to the Duce's view the encirclement policy of the Western Democracies would certainly function at the present time but, after an interval of time, the points of difference and the fundamental lack of unity between the parties of the encirclement front would make themselves felt and the front would accordingly fall to pieces.

Finally the Duce was convinced that the present strong state of feeling in England and France would not last very much longer, especially in France the *union sacree* would break up in party quarrels if sufficient time were allowed on the side of the Axis. At the moment the Axis itself was responsible for the fact that party differences had been set aside in the countries concerned.

The position of Japan would also be considerably strengthened in two years time after the expected conclusion of the China war, while the position of Roosevelt in America would be severely shaken after a period of external tranquility, so that he would not be elected to the presidency for a third time, whereas his election was certain if war broke out. Spain which had just secured a government friendly to the Axis needed a period of rest after the Civil War but in two to three years time would be in fact a considerable factor on the side of the Axis, e.g. within two years Spain proposed to build four battleships of 35,000 tons, the plans of which had recently been brought to Spain by an Italian General. This construction would take place at Ferrol.

For these reasons the Duce insisted that the Axis Powers should make a gesture which would reassure people of the peaceful intentions of Italy and Germany. This could be done through the publication of a communique which Ciano had already given to Ribbentrop (then follows the text of the proposed communique). Ciano said that the Duce had in mind a proposal for an international conference. The Fuehrer declared that if a conference were held, Russia could no longer be excluded from future meetings of the Powers. In the German-Russian conversations, the Russians had made it clear with reference to Munich and other occasions, when they were excluded, that in future they would not submit to such treatment. In addition to the four great Powers and apart from Russia, Poland and Spain must also be summoned to a conference. That would mean, however, that Italy and Spain would be ranged against England, France, Russia and Poland, i.e. an unfavorable position. Ciano said that the Duce considered that the party would win at a conference which was ready in given circumstances to allow the conference to fail and take into account the eventuality of war as a result of failure. The Duce had, however, given consideration to the Fuehrer's view and had turned down his proposal. He was in favor of a peaceful gesture on the part of Italy and Germany saying that the Western Powers were not really ready for war. These Powers, however, according to the conviction of the Duce, who obtained very valuable information about the Democracies, would certainly begin war at the present time if they were in any way driven into a corner by the Axis and saw no other way out. The proposed German-Italian gesture offered an honorable way out which the democracies would certainly use for avoiding war. Wide circles warned them against war and the position of this (anti-war) party would naturally be considered strengthened by a peaceful gesture. Poland, from which the Western Powers would certainly draw apart, would be isolated after a certain time and be ready to accept reasonable solutions to the outstanding difficulties.

The Fuehrer answered that for a solution of the Polish problem no time should be lost; the longer one waited until the autumn, the more difficult would military operations in Eastern Europe become. From the middle of September, weather conditions made air operations hardly possible in these areas, while the condition of the roads, which were quickly turned into a morass by the autumn rains, would be such as to make them impossible for motorized forces. From September to May, Poland was a great marsh and entirely unsuited for any kind of military operations. Poland could, however, occupy Danzig in September and Germany would not be able to do anything about it since they obviously could not bombard or destroy the place.

Ciano asked how soon, according to the Fuehrer's view, the Danzig question must be settled. The Fuehrer answered that this settlement must be made one way or another by the end of August. To the question of Ciano's: what solution the Fuehrer proposed? Hitler answered that Poland must give up political control of Danzig, but that Polish economic interests would obviously be reserved and that Polish general behavior must contribute to a general lessening of the tension. He doubted whether Poland was ready to accept this solution since up to the present the German proposals had been refused. The Fuehrer had made this proposal personally to Beck at his visit to Obersalzberg. They were extremely favorable to Poland. In return for the political surrender of Danzig, under a complete guarantee of Polish interests and the establishment of a connection between East Prussia and the Reich, Germany would have given a frontier guarantee, a 25 years pact of friendship and the participation of Poland in influence over Slovakia. Beck had received the proposal with remark that he was willing to examine it. The plain refusal of it came only as a result of English intervention. The general Polish aims could be seen clearly from the press. They wanted the whole of East Prussia and even proposed to advance to Berlin. It was unendurable for a great power to tolerate a neighbor of such hostile disposition at 150 kilometers from its capital. The Fuehrer had therefore resolved to use the occasion of the next Polish provocation in the form of an ultimatum, the brutal ill-treatment of Germans in Poland, an attempt to starve out Danzig or the invasion of Poland within 48 hours and in this way to leave the problem. This would mean a considerable strengthening of the Axis just as an Italian liquidation of Yugoslavia would also mean an increase in strength. Ciano asked what action of this kind against Poland was to be expected because Italy must amply prepare herself for all eventualities. The Fuehrer answered that in the circumstances a move against Poland must be reckoned with at any minute.

During this exchange of conversation the Fuehrer was given a telegram from Moscow and a telegram from Tokio. The conversation was interrupted for a short time and Ciano was then told the text of the Moscow telegram. The Russians agreed to the despatch of a German political negotiator to Moscow. Ribbentrop added that the Russians were fully informed of the intentions of Germany with regard to Poland. He himself at the Fuehrer's order had informed the Russian Charge d'Affaires, the Fuehrer added that according to his opinion Russia would not be ready to take the chestnuts out of the fire for the Western Powers. Stalin's position would be endangered as much by a victorious as by a defeated Russian army. Russian interest was to extend her access to the Balkans. Germany had nothing against this. On the other hand, Russia would never interfere on behalf of Poland whom she hated whole-heartedly. The sending of the Anglo-French Military Mission to Moscow had only one purpose, i. e. to conceal the catastrophic position of the political negotiations.

After a further consideration over the communique proposal the Fuehrer said that he would consider this proposal and Ciano's news about the general situation for inter-aid. He therefore proposed that the discussion should be continued on the following day.

III

Memorandum of a conversation between Hitler, Ribbentrop and Ciano at Obersalzberg August 13, 1939

The Fuehrer said that since the last conversation, he had been considering the whole position. Ribbentrop had meanwhile told him that in the circumstances Ciano had decided not to conclude the conversations with a communique. The Fuehrer had agreed with this decision. The door was therefore open, no-one was committed and no course was blocked.

The Fuehrer had also come to the conclusion, as he had said in a previous conversation, that the danger of delaying too long into the autumn was that Poland would be able to carry out its relatively limited aims. Danzig could be made to submit by slow pressure and the treaty position was extremely favourable to Poland. Danzig could be blockaded and slowly ruined or even starved out from the second half of September and particularly from the beginning of October. The Poles could easily occupy the place. This occupation would be followed by a re-conquest of the Corridor and Danzig on the German side but any further military operations would be impossible at the present time of the year. Danzig therefore would fall into ruin, and the heavily motorized German forces which were necessary for deep penetration into Poland could not be used. In a severe winter, it would be possible to undertake certain military operations, but the weather conditions would make the emergency landing places and the usual aerodromes unusable. If Germany used these aerodromes the flying distances would be much prolonged, more petrol would be consumed and a considerable less weight of bombs could be carried. It was therefore necessary that within the shortest time, Poland should clearly state her intentions, and no further provocation should be endured by Germany. If these provocations were just allowed to pass, the affair would be prolonged until October when tanks and aircraft could not be used. The Polish General Staff knew these climatic conditions and their effect upon the German forces and therefore Poland was playing for time. The Fuehrer had therefore come to two definite conclusions, 1) in the event of any further provocation, he would immediately attack, 2) if Poland did not clearly and plainly state her political intention, she must be forced to do so. It should not be forgotten that the test of nerves which the Poles had begun by means of continual instances of provocation had not lasted for three months. Any signs of giving way would, in view of the Slav mentality, bring a violent reaction of over-confidence on the part of the Poles. Surrender would not, in any way strengthen the German position but would be regarded by every other country as a sign of weakness. If the Western Democracies had already decided to move against the Axis, they would not in any case wait for three or four years before carrying out their plan and attack only at a time when the Axis Powers had completed their necessary preparations, but they would pass the earlier conflict. If, however, they had not yet come to a decision in the matter (and the Fuehrer thought that in the state of their armaments they had not come to this decision), the best way of preventing them would be to deal with the Polish matter quickly. In general, however, success by one of the Axis partners, not only strategical but also psychological strengthening of the other partner and also of the whole Axis would ensue. Italy carried through a number of successful operations in Abyssinia, Spain and Albania and each time against the wishes of the Democratic Entente. These individual actions have not only strengthened Italian local interests but had also reinforced her general position, the same was the case with German actions in Austria and Czechoslovakia. Here also not only had German local interest been strengthened but the general position had been re-inforced. The Axis had thereby won considerable victories. If one were to consider what would have happened if these individual operations had not been successful and to ask what the position of Germany would then have been, one reached a similar conclusion. The strengthening of the Axis by these individual operations was of the greatest importance for the unavoidable clash with the Western Powers. As matters now stand, Germany and Italy would simply not exist further in the world through lack of space, not only was there no more space but existing space was completely blockaded by its present possessors, they sat like misers with their heaps of gold and deluded themselves about their riches. The Western Democracies were dominated by the desire to rule the world and would not regard Germany and Italy as their class. This psychological element of contempt was perhaps the worst thing about the whole business. It could only be settled by a life and death struggle which the two Axis partners could meet more easily because their interests did not clash on any point. The Mediterranean was obviously the most ancient domain for which Italy had a claim to predominance. The Duce himself had summed up the position to him in the words that Italy already was the dominant power in the Mediterranean. On the other hand, the Fuehrer said that Germany must take the old German road eastwards and that this road was also desirable for economic reasons, and that Italy had geographical and historical claims to permanency in the Mediterranean. Bismarck had recognized it and had said as much in his well-known letter to Manzzini. The interests of Germany and Italy went in quite different directions and there never could be a conflict between them. Ribbentrop added that if the two problems mentioned in yesterday's conversations were settled, Italy and Germany would have their backs free for work against the West. The Fuehrer said that Poland must be struck down so that for (50?) years long she was incapable of fighting. In such a case, matters in the west could be settled. Ciano thanked the Fuehrer for his extremely clear explanation of the situation. He had, on his side, nothing to add and would give the Duce full details. He asked for more definite information on one point in order that the Duce might have all the facts before him. The Duce might indeed have to make no decision because the Fuehrer believed that the conflict with Poland could be localized on the basis of long experience. He (Ciano) quite saw that so far the Fuehrer had always been right in his judgment of the position. If, however, Mussolini had no decision to make, he had to take certain measures of precaution and therefore Ciano would put the following question:—

The Fuehrer had mentioned two conditions under which he would take Poland—1, if Poland were guilty of serious provocation and, 2, if Poland did not make her political position clear. The first of these conditions depended on the decision of the Fuehrer and German reaction could follow it in a moment. The second condition required certain decisions as to times. Ciano therefore asked what was the date by which Poland must have satisfied Germany about her political condition. He realized that this date depended upon climatic conditions.

The Fuehrer answered that the decision of Poland must be made clear at the latest by the end of August. Since, however, the decisive part of military operations against Poland could be carried out within a period of 14 days and the final liquidation would need another 4 weeks, it could be finished at the end of September or the beginning of October these could be regarded as the dates. It followed therefore that the last dates on which he could begin to take action was the end of August. Finally Fuehrer assured Ciano that since his youth, he had favoured German-Italian co-operation and that no other view was expressed in his books. He had always thought that Germany and Italy were naturally suited for collaboration since there were no conflicts of interests between them. He was personally fortunate to live at a time in which, apart from himself, there was one other statesman who would stand out great and unique in history; that he could be this man's friend was for him a matter of great personal satisfaction and if the hour of common battle struck, he would always be found on the side of the Duce.

TRANSLATION OF DOCUMENT TC-78

LETTER FROM THE FRENCH PRIME MINISTER DALADIER TO THE FUEHRER, DATED 26th AUGUST 1939.

Paris, 26th August 1939

Dear Reichchancellor,

The French Ambassador in Berlin has informed me of your personal communication.

In the hours, in which you speak of the greatest responsibility which two heads of Governments can possibly take upon themselves, namely that of shedding the blood of two great nations, who long only for peace and work, I feel I owe it to you personally and to both our peoples to say that the fate of peace still rests in your hands.

You can doubt neither my own feelings towards Germany, nor France's peaceful feelings towards your nation. No Frenchman has done more than myself to strengthen between our two nations not only peace, but also sincere cooperation in their own interests as well as in those of Europe and of the whole world. Unless you credit the French People with lower sense of honour, than I credit the German Nation with, you cannot doubt that France loyally fulfills her obligations towards other powers, such as Poland, which, as I am fully convinced, wants to live in peace with Germany.

These two convictions are fully compatible.

Till now there has been nothing to prevent a peaceful solution of the international crisis, with all honour and dignity for all nations, if the same will for peace exists on all sides.

Together with the good will of France I proclaim that of all her allies. I take it upon myself to guarantee Poland's readiness, which she has always shown, to submit to the mutual application of a method of open settlement, as it can be imagined between the governments of two sovereign nations. With the clearest conscience I can assure you that among the differences which have arisen between Germany and Poland over the question of Danzig, there is not one which could not be submitted to such a method the purpose of reaching a peaceful and just solution.

Moreover, I can declare on my honour that there is nothing in France's clear and loyal solidarity with Poland and her allies, which could in any way prejudice the peaceful attitude of my country. This solidarity has never prevented us, and does not prevent us today, from keeping Poland in the same friendly state of mind.

In so serious an hour, I sincerely believe that no high minded human being could understand it, if a war of destruction was started without a last attempt being made to reach a peaceful settlement between Germany and Poland. Your desire for peace could in all certainty work for this aim, without any prejudice to German honour. I, who desire good harmony between the French and the German people, and who am on the other hand bound to Poland by bonds of friendship and by a promise, am prepared, as head of the French Government, to do everything an upright man can do, to bring this attempt to a successful conclusion.

You and I were in the trenches in the last war. You know, as I do, what horror and condemnation the devastations of that war have left in the conscience of the peoples, without any regard to its outcome. The picture I can see in my mind's eye of your outstanding role as the leader of the German people on the road of peace, towards the fulfillment of its task in the common work of civilization, leads me to ask for a reply to this suggestion.

If French and German blood should be shed again, as it was shed 25 years ago, in a still longer and more murderous war, then each of the two nations will fight believing in its own victory. But the most certain victors will be—destruction and barbarity.

(Signed) Daladier.

LETTER FROM THE FUEHRER TO THE FRENCH PRIME MINISTER DALADIER, DATED 27th AUGUST, 1939

Berlin, 27th August, 1939

Dear Prime Minister,

I understand the qualms you express. I too have never overlooked the high responsibility which rests on those who are in a position to decide the fate of nations. As an old front line soldier, I hate the horrors of war as you do. It is from this conviction and knowledge that I have made honest efforts to eliminate all the grounds of conflict between our two nations. I have assured the French people quite openly that the return of the Saar would be the prerequisite for it. After its return I immediately and solemnly confirm my renunciation of any further claims which might affect France. The German people approved my attitude. You were able to realize yourself during your last stay here that, proud of its own attitude, it neither felt nor feels any resentment or hatred towards the valiant foe of the past. On the contrary. The satisfactory solution of our Western frontier problem led to an increase in understanding, at least on the part of the German people. This understanding on many occasions reached the point of demonstrativeness. The building of our strong Western fortifications which cost us and are still costing us many millions of Marks proves that Germany is accepting and confirming the final frontier of the Reich. The German people have thereby given up two provinces which used to belong to the old German Reich, were later on conquered with much blood and still later defended with still more blood. Your Excellency will have to agree that the waiving of our claims is no tactical measure to impress the outer world, but a decision which has been logically confirmed by all our measures. You will be unable, my dear Prime Minister, to quote me an instance where in a single line or speech there has been any opposition to this final delineation of the Western boundary of the Reich. I believed that through this waiving of our claims and by this attitude I had eliminated any possible source of controversy between our two peoples which would lead to a repetition of the tragedy of 1914-1918. However, this voluntary limitation of Germany's vital demands in the West cannot be taken as implying total acceptance of the Versailles treaty. I have really tried year after year to obtain by agreement a revision of at least those clauses of the treaty which were most irrational and unbearable. It has been impossible. Many far-sighted people of all nations saw and knew that a revision had to come. Whatever anyone may say against my methods, whatever criticism anyone may feel himself compelled to level against them, one must not overlook or deny that they not only made it possible in many cases to find solutions satisfactory to Germany, without first shedding of blood, but also owing to the very nature of these methods, spared foreign statesmen the necessity of justifying such revisions to their own people, a necessity which they would often have been unable to face; for your Excellency will have to agree with me on one point: The revision had to come. The Versailles treaty was intolerable. No Frenchman possessing a sense of honour, not even you, Monsieur Daladier, would have acted differently from me in a similar position. I have now also tried in this sense to abolish the most unreasonable of all the Versailles treaty. I made an offer to the Polish Government, which shocked the German people. No one but I could have dared to announce such an offer in public. That is why I could only make that offer once. I am now firmly convinced that Europe would have been able to enjoy a state of peace today and for the next 25 years, if at that time the Poles had been persuaded, particularly by Great Britain to see reason; instead a wild press campaign against Germany was started and rumours were spread of a German mobilization. Thus Polish public opinion was first of all roused by lies about German aggression; it was made more difficult for the Polish Government to come to their own necessary clear-cut decisions and the subsequently given guarantee in particular impaired their ability to see the limits of what was possible. The Polish Government turned the offer down. Polish public opinion, firmly convinced that Britain and France would go to war on their behalf, started to make demands which could have been regarded as ridiculous lunacies, had they not been so terribly dangerous. At that time an unbearable terrorization—a physical and economic oppression of the Germans in the territories ceded by the Reich, who still amounted to over 1½ millions, began. I do not wish to discuss here the atrocities committed. Even Danzig was increasingly reminded, by the continuous encroachments of Polish authorities, that it had been surrendered, apparently without hope of salvation, to the arbitrary will of a power alien to the national character of town and population.

May I take the liberty of asking you, Daladier, how you, a Frenchman, would act if through the unlucky and of a courageous fight one of your provinces were cut off by a corridor occupied by a foreign power; if a large town, let us say Marseilles, was prevented from acknowledging her ties with France and if the Frenchman living in that territory were persecuted, beaten, maltreated, even bestially murdered? You are a Frenchman, M. Daladier, and therefore know how you would act. Do not, M. Daladier, doubt my sense of honour and my sense of duty which tells me to act exactly as you would do! If you had suffered the misfortune which we have suffered, would you be able to understand it M. Daladier, if Germany should without provocation insist on the corridor through France being maintained, on the stolen territory not being allowed to revert, on the return of Marseilles to France being forbidden? I at least, M. Daladier, cannot imagine that Germany should fight against you for such a reason, since I and the whole world have waived the claim to Alsace-Lorraine to prevent further shedding of blood. All the less would we shed blood to uphold an injustice, which would be as intolerable to you, as it would be unimportant for us. I feel exactly as you do, M. Daladier, about the matters mentioned in your letter. Being both old front-line soldiers, perhaps we can understand each other more easily on many points; however, I must ask you to understand this too: That it is impossible for a nation with a sense of honour to waive their claim to almost two million people, and to see them maltreated on their own frontier. I have therefore formulated a clear-cut demand. Danzig and the corridor must revert to Germany. The "Macedonian" conditions on one Eastern frontier must disappear. I can see no way of inducing Poland, which now believes itself unassailable under the protection of the guarantees, to take steps towards a peaceful solution. I should however despair of the honourable future of my people, if, under such circumstances, we were not determined to solve the question in one way or another. Should fate thereby once more force our two peoples to fight, there would yet be a difference in our motives. I and my people, M. Daladier, would fight to right—and the others to maintain—a wrong which has been inflicted on us. This would be all the more tragic as many most outstanding men, including some of your own people, have recognized the folly of the 1919 solution as well as the impossibility of permanently upholding it. I am quite aware of the dire consequences which would result from such a conflict. But I believe that Poland would suffer most, for, whichever way the war about this question went, the present Polish state would be lost anyhow.

Not only for you, M. Daladier, but for me too it is most painful that our two peoples are now to embark on a new bloody war of extermination on these grounds. But as I said before, I cannot see a way for us to induce Poland by rational means to correct a situation which is intolerable for the German people and the German Reich.

(Signed) Adolf Hitler.

COPY OF DOCUMENT TC–90

Extract from Testimony of HERMANN GOERING taken at Nurnberg, Germany, on 29 August 1945, by Colonel John H. Amen, IGD, OUSCC. Also present: Pfc. Richard W. Sonnenfeldt, Official Interpreter; Court Reporter, S/Sgt. William A. Weigel. 1430 to 1640; pages 7-9.

Q. When the negotiations of the Polish foreign minister in London brought about the Anglo-Polish treaty at the end of March or beginning of April 1939, was it not fairly obvious that a peaceful solution was impossible?

A. Yes, it seemed impossible after my convictions, but not according to the convictions of the Fuehrer. When it was mentioned to the Fuehrer that England had given her guarantee to Poland, he said that England was also guaranteeing Roumania, but then when the Russians took Bessarabia nothing happened, and this made a big impression on him. I made a mistake here. At this time Poland only had the promise of a guarantee. The guarantee itself was only given shortly before the beginning of the war. On the day when England gave her official guarantee to Poland the Fuehrer called me on the telephone and told me that he had stopped the planned invasion of Poland. I asked him then whether this was just temporary or for good. He said, "No, I will have to see whether we can eliminate British intervention." So then I asked him, "Do you think that it will be any different within four or five days?"

At this same time—I don't know whether you knew about that, Colonel—I was in connection with Lord Halifax by a special courier outside the regular diplomatic channels to do everything to stop war with England. After the guarantee I held an English declaration of war inevitable. I already told him in the Spring of 1939 after occupying Czechoslovakia, I told him that from now on if he tried to solve the Polish question he would have to count on the enmity of England. 1939, that is after the Protectorate.

Q. Is it not a fact that preparations for the campaign against Poland were originally supposed to have been completed by the end of August 1939?

A. Yes.

Q. And that the final issuance of the order for the campaign against Poland came some time between the 15th and 20th of August 1939 after the signing of the treaty with Soviet Russia?

A. Yes, that is true.

Q. Is it not also a fact that the start of the campaign was ordered for 25 August, but on 24 August in the afternoon it was postponed until 1 September in order to await the results of new diplomatic maneuvers with the English Ambassador?

A. Yes.

Q. There was no order for a concentration at OKW?

A. How am I to understand this question?

Q. Well, were there any orders covering the start of the campaign at OKW?

A. The OKW issued the orders for the beginning of the campaign for the Fuehrer and the time had to be chosen in such a manner that the OKW could always cancel the campaign twenty-four hours before the proposed date.

COPY OF DOCUMENT TC–91

Extract from Testimony of Joachim von Ribbentrop, taken at
Nurnberg, Germany, on 29 August, 1945, 1400 to 1630, by
Colonel Howard A. Brundage, IGD. Also present: T/5
Adolf I. Mayer, Interpreter, and S/Sgt. Horace M.
Levy, Court Reporter; pages 15-17.

A. Now, when England, of course, the moment England stood behind the Poles, this problem, these problems became very difficult. It was first the visit of General Ironsides, who was in Poland, which made the Poles already to take a rather stiff position. Then it was the visit of Mr. Beck in London, where there had been guarantee talks about Poland, which also made the Poles still stiffer, till to that moment when the official guarantee was signed, the official British guarantee was signed for the Poles. Now, just as far as Anglo-German-British was concerned, we have finished with that. I just wanted to say that the question for the Fuehrer was then, to my way of seeing it, should he renounce the solution of this vital question because England might decide to set her theory of equality of power now in function and go make war against Germany, for a solution which very probably Englishmen themselves had considered as absolutely necessary and which became ever more urgent. You perhaps remember that the Fuehrer then had already decided that he would go on when the English guarantee signature came. When I heard about this British guarantee signature, I went at once to the Fuehrer—I heard through the press it was signed in London—I went at once to the Fuehrer, and hearing that military steps had been taken against Poland, I asked him to withdraw it and stop the advance. The Fuehrer at once agreed to do it. He gave orders to his military adjutant, who was Schmundt—he died as a result of the 20th of July—he gave orders at once to the military people to stop the advance into Poland.

Q. When was that?

A. This was—well, on the 25th of August—just a moment—I think it was the 25th of August, 1939—and then negotiations with Mr. Henderson in Berlin started, about which I would like to tell you in detail afterwards; and only after this last try with Great Britain did not come off, the Fuehrer made again an offer of friendship and of close collaboration with Great Britain. When this didn't come off, the Fuehrer decided to treat directly with the Poles, and that is the way. And then when the Polish intermediary didn't come, the Fuehrer acted and took military steps.

PARTIAL TRANSLATION OF DOCUMENT TC-92

THE FUEHRER'S ADDRESS ON THE OCCASION OF THE DINNER IN HONOUR OF THE PRINCE REGENT OF YUGOSLAVIA ON JUNE 1st, 1939

[Documents Concerning the Conflict with Yugoslavia and Greece (Dokumente zum Konflict mit Jugoslawien und Griechenland) Berlin, 1941, Page 74.]

The German friendship for the Yugoslav nation is not only a spontaneous one. It gained depth and durability in the midst of the tragic confusion of the world war. The German soldier then learned to appreciate and respect his extremely brave opponent. I believe that this feeling was reciprocated. This mutual respect finds confirmation in common political, cultural and economic interests. We therefore look upon your Royal Highness's present visit as a living proof of the accuracy of our view, and at the same time on that account we derive from it the hope that German-Yugoslav friendship may continue further to develop in the future and to grow ever closer.

In the presence of your Royal Highness, however, we also perceive a happy opportunity for a frank and friendly exchange of views which, and of this I am convinced, in this sense can only be fruitful to our two peoples and States. I believe this all the more because a firmly established reliable relationship of Germany to Yugoslavia, now that, owing to historical events, we have become neighbours with common boundaries fixed for all time, will not only guarantee lasting peace between our two peoples and countries, but can also represent an element of calm to our nerve-wracked continent. This peace is the goal of all who are disposed to perform really constructive work.

PARTIAL TRANSLATION OF DOCUMENT TC-93

PROCLAMATION OF THE FUEHRER TO THE GERMAN PEOPLE, 6 APRIL 1941

[Documents Concerning the Conflict with Yugoslavia and Greece (Dokumente zum Konflict mit Jugoslawien und Griechenland) Berlin, 1941, Page 2.]

From the beginning of the struggle it has been England's steadfast endeavour to make the Balkans a theatre of war. British diplomacy did, in fact, using the model of the World War, succeed in first ensnaring Greece by a guarantee offered to her, and then finally in misusing her for Britain's purposes.

The documents published today afford a glimpse of a practice which, in accordance with very old British recipes, is a constant attempt to induce others to fight and bleed for British interests.

In the face of this I have always emphasized that—

(1) The German people have no antagonism to the Greek people, but that

(2) We shall never, as in the World War, tolerate a Power establishing itself on Greek territory with the object, at a given time, of being able to advance thence from the south-east into German living space. We have swept the northern flank free of the English: we are resolved not to tolerate such a threat in the south!

In the interests of a genuine consolidation of Europe, it has been my endeavour, since the day of my assumption of power, above all to establish a friendly relationship with Yugoslavia. I have consciously put out of mind everything that once took place between Germany and Serbia. I have not only offered the Serbian people the hand of the German people, but, in addition, have made efforts as an honest broker to assist in bridging all difficulties which existed between the Yugoslav State and various nations allied to Germany.

SECRET

Copy

High Command of the Armed Forces.
Nr.002106/43 g.K./WFSt/Qu.(Verw)

Fuehrer's H.Q. 26 May 1943.
20 copies, Copy No. 8.

Ref: Treatment of supporters of De Gaulle who fight for the Russians.

French airmen serving in the Soviet forces have been shot down on the Eastern front for the first time. The Fuehrer has ordered that employment of French troops in the Soviet forces is to be counteracted by the strongest means.

It is therefore ordered:

1. Supporters of de Gaulle who are taken prisoner on the Eastern front will be handed over to the French government for proceedings in accordance with OKW order/WR/I/3 Nr. 4697/40 of 6 Dec 40.

2. All instances of this type will be collected and be used for exerting political pressure on the French government, which is responsible, in accordance with the terms of the armistice, for preventing members of the French forces from leaving France.

Steps to be taken against the French government are being prepared by OKW/A.Ausl./Abw.Ag.Ausl. in conjunction with the foreign office.

3. Detailed investigations are to be made in appropriate cases against relatives of Frenchmen who fight for the Russians, if these relatives are resident in the occupied area of France. If the investigation reveals that relatives have given assistance to facilitate escape from France then severe measures are to be taken.

OKW/WR is making the necessary preparations with the Military Commander on the spot, and with the SS and Police chief.

Chief of the High Command of the Armed Forces
(signed) KEITEL
Certified correct
Lt.Col.G.S.

Certified correct copy.
[signature illegible]
Capt.

Distribution etc.

NOT VIA REGISTRY

4 Jan. 1944

Amt Ausland/Abwehr Ag Ausland Nr. 17/44 gKdos I B2

SECRET COMMAND MATTER

Note Chief High Mil. Command

We want documents on basis of which we can institute similar proceedings.

They are reprisals which have no connection with battle actions.

Legal indications are superfluous

8 Jan.

To be submitted to the *Chief High Mil. Command.*

via

Chief Foreign Direct/Security.

2 copies of which this copy is certified correct.

(signed) REICHEL

Memorandum

Re counteraction to KHARKOV show trial

In compliance with orders received the following steps have so far been taken.

1. "The army dept. for investigations of infringement" at WR has, since 1940 been carefully collecting all documentary evidence through which breaches of international law by the enemy up to the present have been placed on record. This evidence has been thoroughly checked by means of interrogation under oath of the participating soldiers. A systematic survey of this material has already been presented to WFSt by the foreign dept. in 1942.

On going through the material for the present purpose (counteraction KHARKOV) it has been found, however, that in none of the cases detailed information about the participants is available. It therefore only remains:

a. To ascertain, in conjunction with the general staff of the army, which troop formations were present on the enemy's side at the time of the ascertained breaches of international law.

b. To ask the chief PW organization to ascertain whether any PW from troop formations used at the time are in German hands.

This information has been handed over to the Chief PW organization and investigation is in progress.

The events in Crete, at Dieppe and in N. Africa have been brought into the scope of the investigations. The collecting of further evidence is costing a great deal of time owing to the large distances between the service depts. concerned.

2. The documents referred to "Commandos" have been collected by the Reich security HQ and thoroughly investigated. In five cases members of the British armed forces have been arrested as participants. In accordance with the order of the Fuehrer they were thereupon shot. The possibility would exist that breaches of international law could not be attributed to them and they could be posthumously sentenced to death by the way of the courts. Up to the present no breaches of international law can be proved against the commando participants. The documentary material to hand is therefore, correspondingly poor: further material has been asked for. When this has been received and examined it will be passed on to the Armed Forces Legal Dept. and a further report submitted.

Signed: R

NOT VIA REGISTRY

Foreign Dept. of Defense.
Foreign Directorate / Security
Foreign Dept. No. 17/44 VERY SECRET DOCUMENT
Foreign I B2 (a Aug).

OU 6 Jan. 1944
5 copies, 1st copy

SECRET COMMAND MATTER

High Army Command, Army Operational Staff,
Communications Station

12 Jan 1944

2. REPORT MEMORANDUM

To Chief, High Command
via
Chief for: Direct./Sec.

Re: Counteraction to KHARKOV SHOW TRIAL

In pursuance of the orders received the following "Commando" cases have been established up to the present:

1. Guerilla activities in North Africa.

a. 1st Lieut Michael Alexander, born 20 Nov 20

b. Cpl Gurney, born 8 Feb 19, in London (Volume 6) were landed on 15 Aug 42 in North Africa together with sabotage commando. After blowing up several ammunition dumps and splinter proof walls they surprised Cpl Seemann and 3 soldiers in their tent on the morning of 16 Aug 42, bound them, rendered an MG useless and took 2 German army pistols and two German army forage caps with them. For this attack A and G were only dressed in khaki coloured shirts and trousers and wore no headgear. Cpl G was wearing an English web belt with a canvas pistol pouch whilst 1st Lieut A was wearing a German pistol pouch made of black leather. During his flight after the raid A put on the German tropical cap which he had taken with him. The attacked Cpl Seemann found him a few hours later hidden in a sand pit under a straw mat and took him prisoner.

Proceedings for guerilla activities have been brought before the Reich court martial by order of the Fuehrer (sheet 29) and the charge sheet (sheet 6) has been brought before the Reich minister of foreign affairs (sheet 37). Proceedings have been temporarily suspended by order of the Chief OKW (sheet 43/46).

The accused are at present in the Eichstadt Bavaria camp as ordinary PWs (sheet 22).

Distribution:

Chief Sect. Gen. Armed
Forces Matters, Personally
Chief, PW Inspection
Chief, Armed Forces
Legal Section

2. Attempted attacks on the battleship Tirpitz.

At the end of October 42 a British commando that had come to Norway in a cutter had orders to carry out an attack on the battleship Tirpitz in Drontheim Fjord by means of a two-man torpedo. The action failed since both torpedoes which were attached to the cutter were lost in the stormy sea. From amongst the crew consisting of 6 Englishmen and 4 Norwegians a party of 3 Englishmen and 2 Norwegians were challenged on the Swedish border. However, only the British seaman Robert Paul Evans born 14 Jan 22 at London, could be arrested, the others escaped into Sweden.

Evans had a pistol pouch in his possession such as are used to carry weapons under the arm-pit and also a knuckle-duster. Violence, representing a breach of international law could not be proved. He has made extensive statements about the operation. In accordance with the Fuehrer's order (sheet 15 and 53) he was shot on 19 Jan 42.

3. Blowing up of the Glomfjord Power Station.

On 16 Sep 42 10 Englishmen and 2 Norwegians landed on the Norwegian coast dressed *in the uniform of the British Mountain*

Rifle Regt., heavily armed and equipped with explosives of every description. After negotiating difficult mountain country they blew up important installations in the power station Glomfjord on 21 Sep 42. The German sentry was shot dead on that occasion. Norwegian workmen were threatened that they would be chloroformed should they resist. For this purpose the Englishmen were equipped with morphine syringes. Several of the participants have been arrested whilst the others escaped into Sweden (sheet 178).

Those arrested are:

Capt. Graeme Black, born 9 May 11 in Dresden.
Capt. Joseph Houghton, born 13 Jun 11 at Bromborough.
Top Sgt Miller Smith, born 2 Nov 15 at Middlesborough.
Cpl William Chudley, born 10 May 22 at Exeter.
Rfn Reginald Makeham, born 28 Jan 14 at Ipswich.
Rfn Cyril Abram, born 20 Aug 22 in London.
Rfn Eric Curtis, born 24 Oct 21 in London.

They were shot on 30 Oct 42 (sheet 124).

A number of reports about this sabotage operation have been circulated by the English and neutral press and radio in which the capture of 7 Englishmen (sheet 114, 115, 127, 162, 163) and their shackling was mentioned.

4. The sabotage attack against German ships off Bordeaux.

On 12 Dec 42 a number of valuable German ships off Bordeaux were seriously damaged by explosives below water-level. The adhesive mines had been fixed by 5 English sabotage gangs working from canoes. From amongst the 10 participants the following were arrested after a few days:

Kinnon, Mac Naval lieut born 15 Jul 21 N. Argyleshire, British.
Laver, Albert Friedrich, P/O, born 29 Sep 20. Birkenhead, British.
Mills, William Henry, Marine, born 15 Dec 21. Kettering, British.
Wallace, Samuel, Sgt, born 24 Sep 13, Dublin/Eire, Irish.
Conway, James, Marine, born 28 Aug 22, Stockport, British.
Ewart, Robert, Marine, born 4 Dec 21, Glasgow, British.

A seventh soldier named Moffet was found drowned, the remainder apparently escaped into Spain.

Participants proceeded in pairs from a submarine in canoes upstream into the mouth of the River Gironde. They were wearing *olive grey special uniforms.* After effecting the explosions they sank the boats and attempted to escape into Spain in civilian clothes and with the assistance of the French civil population.

No special criminal actions during the flight have been discovered. All the arrested, in accordance with orders were shot on 23 Mar 43. The investigations into three further "Commando" cases have not yet been completed.

Signed: REICHEL.

COPY

VO Foreign/Ic

Fuehrer's Hq. FHQ 9 Jan. 1944

The Chief OKW has handed the Deputy Chief WSSt the enclosed letter with the following remarks:

It is of no importance to prove breaches of international law in documentary fashion, what is important, however, is the collection of material which can be used for presentation of a show trial from a propaganda point of view. A show trial, as such, is therefore, not meant to take place but merely a propaganda presentation of cases of breaches of international law by enemy soldiers who will be mentioned by name and who have either already been punished with death for their crimes or are awaiting the death penalty.

Chief OKW asks the chief of the Foreign Dept. to bring with him corresponding documents for his next visit to the Fuehrer's HQ.

Signed: KRUMMACHER.

SECRET COMMAND MATTER

Air. Security—Abr. Abw. III, No. 2778/44/54 gKdos (C2)

O. U. 21 April 1944

4 Copies, 1 Copy.

Reference: Countermeasures to Soviet Russia's Show Trials.

References:

1. WFSt/Qu 2 No. 003265/44 g Kdos v. 27.3.44. Armed Forces Op. Staff/Quarters. Very Secret document.
2. First Report Memo. under same No. 4.4.44.
3. Second Report Memo. under same No. of 11.4.44.

3. Report Memorandum for Chief, High Mil. Command

1. The final figures of the cases concerned (persons) is 97, of which 52 are officers. Amongst these there is one English Brigadier-General, one American Colonel and eight British Majors. Distribution of the 97 cases can be seen from the following two summaries:

OFFICERS

British	American	Taken		Still living?		
		After middle of 1943	Before middle of 1943	Yes	No	Not yet ascertained
47	5	39	13	44	7	1

SOLDIERS below the rank of Corporal

British	American	Taken		Still living?		
		After middle of 1943	Before middle of 1943	Yes	No	Not yet ascertained
32	13	25	20	19	24	2

The British operation for the organization of Albanian Units (4 officers and 3 EMs), which was originally omitted from the second report, is included herein.

From the material to hand, regarding Anglo-American soldiers (EM), only those cases have been considered which have taken part in a joint operation with officers, whilst EM alone have only been considered in 2 particularly suitable cases.

Over and above the 97 cases there are reports of cases regarding further 8 English officers who, according to the records in hand, cannot be regarded as absolutely suitable, but which, should the occasion arise, could be used after suitable treatment, furthermore, 3 cases of English officers of Danish nationality.

It has not been possible to consider the case of an English murder plot against leading persons of the Dutch national socialist movement, dealt with in the first report memorandum. According to information from the Reich security department it has been established that an American citizen who has been arrested, has been proved to be a participant, but it has not been clarified up to the present whether or not he is a soldier. A separate report will be submitted.

2. A list of the 97 cases, with names, is contained in the attached folder. The 8 cases which are not necessarily regarded as suitable, and the 3 cases of English officers of Danish nationality, are listed in Appendix I.

3. The cases of ill treatment, shackling or killing of German PWs or wounded German soldiers (El Alamein, Dieppe and Crete) and where direct guilt cannot be proven, are compiled in

appendix II. They are not contained in the number of 97 cases.

4. The foreign office, for the reason that they must be included in the preparation of the proposed counter measures, has asked for the total material for their examination. We should like to have your decision as to whether this request is to be complied with.

p.p. Martin.

End I Folder.

[The following notes in pencil appear upon this document:

(*a*) In mauve pencil—initialled by G. KEITEL.

"For examination by Wm. Fuehrungs St. abroad."

"To be kept by W. F. St. (Liaison offr abroad)."

(*b*) *In blue pencil at bottom of page initialled by JODL.*

L. O. Abroad to take action.

I must point out the danger of leaving these prisoners in Paris or Brussels. They must be brought to Germany. J.]

TRANSLATION OF DOCUMENT UK-65

REPORT BY THE C. IN C. OF THE NAVY TO THE FUEHRER ON THE 16.10.1939.

(present: Gen. JODL.)

1. Report on the operation of the "U-47" in the Scapa Flow. Promotion of the B.d.U. to Admiral—Commanding Officer to come to Berlin to make a report and to be decorated with the Knight's Cross.

2. Report on the intensification of the naval war in connection with the memorandum which is handed to the Fuehrer. The Fuehrer permits:

a. The torpedoing without warning of all merchant ships clearly identified as belonging to the enemy (British or French).

b. Passenger ships *in convoy* may be torpedoed some time after it has been made known that this is intended. The C. in C. of the Navy points out that passenger ships are already being torpedoed if they are sailing blacked out.

c. The Italian, Russian, Spanish and Japanese Governments are to be requested to make a declaration that they will not carry any contraband, otherwise they will be treated in the same way as other neutral nations. (This is being done.)

3. The C. in C. of the Navy reports that the Russians have put a well-situated base, to the west of Murmansk, at our disposal, where a depot ship is to be stationed.

[signed] RAEDER.

UK–65

Berlin, 3rd November, 1939.

Directorate of Naval Strategy
No. 1/SRC. A. I. 656/39 G Kdos

TOP SECRET

The enclosed memorandum contains the considerations of the Naval High Command regarding the *Possibilities of an intensification of the naval war against England.*

per pro
(signed) FRICKE

Distribution:

Fuehrer and Supreme Commander	No. 1
O.K.W. WFA/L	No. 2
Ob. d. M.	No. 3
1. Dept. Skl.	No. 4
1. Dept. Skl.	No. 5
Foreign Office	No. 6
O.K.W. Dept. Foreign Countries	No. 7
O.K.W. Special Staff of Admiral Schuster	No. 8
The Fuehrer's Adjutant	No. 9
Group West, at the same time for the B.d.U.	No. 10

Berlin, 15th October, 1939.

Memorandum regarding the intensified naval war against England.

A. *Designation the aim of the war:*

The Fuehrer's proposal for the restoration of a just, honourable peace and the new adjustment of political order in Central Europe has been turned down. The enemy powers *want* the war, with the aim of destroying Germany. In this fight, in which Germany is now forced to defend her existence and her rights, she must use her weapons with the *utmost ruthlessness*, at the same time fully respecting the laws of military ethics.

Germany's principal enemy in this war is *Britain*. Her most vulnerable spot is her maritime trade. The naval war at sea against Britain must therefore be conducted as an economic war, with the aim of destroying Britain's fighting spirit within the shortest possible time and of forcing her to accept peace.

The mediums for this economic war are all weapons that are suitable for it: Naval surface forces, U-boats, 'planes, political organs, economy and propaganda. But a lasting and probably decisive effect against Britain can only be expected from the Navy (and in particular from the U-boat arm) and the Air Force. The first condition for this is the carrying out of an extensive U-boat building program, which will mean the largest possible concentration of the active war industry on building U-boats, as well as an increased building up of that part of the Air Force which is suitable for the conduct of the War against Britain.

The principal target of the Directorate of Naval strategy is the *merchant ship*, not only the enemy's, but in general *every* merchant ship which sails the seas in order to supply the enemy's war industry, both by way of imports and exports. Besides this, the enemy warship also remains a military target, because in it the enemy possesses a weapon with which he can counter a direct attack on the merchant ship.

Because of its direct effect on the life of the neutrals also, the prosecution of the economic war means a closer relationship between politics and the conduct of the war than in any other measure of war.

It is the duty of the *military leadership* of the war at sea to use the military means at its disposal with the severity necessary for attaining success, and to achieve the complete strangulation of the enemy.

It is the task of *economic warfare* clearly to recognize what results the military measures will have on our own economy to find ways and means of making up for the losses from other sources, and, where this is unavoidably necessary for maintaining the life of the German people, to voice any doubts as to the conduct of the naval war.

The *political leadership and supreme command* will then bring the demands of the naval warfare and those of our own war industry into accord with the political aim and the aims of the conduct of the war in general, and will make the necessary decision accordingly.

B. *Estimate of the enemy's position:*

The way in which the war has been waged to date has shown that Britain is unwilling to make large military sacrifices in this war, or to make full use of her military means. She therefore confines herself to a long term propaganda and economic war. Her measures aim at cutting Germany off completely from all her trade. Her control of trade, which is built up on a large scale and carried out ruthlessly, together with the strongest possible political and economic pressure, interferes with the neutrals' trade and forces them to support Britain's economic war against Germany. At the same time Britain's own economic position is difficult because of the extent of her dependence on supplies from overseas. This position would improve considerably if the United States of America with its large resources were to place itself economically and militarily fully on the side of the enemy powers.

Britain wishes to avoid economic sacrifices just as much as military sacrifices as much as possible. Economically too, the war is not to be "bad business" for Britain. Therefore she attaches the greatest importance to retaining her overseas trade to the largest possible extent. This is only possible through keeping up a great part of her export trade. By hindering British *exports* as well we will therefore hit Britain in a particularly sensitive spot.

The extent to which Britain depends on overseas countries, the particular bottlenecks of its economic system and the available alternatives are shown in appendix 1.

To combat German economic warfare, the following steps have been taken by Great Britain up till now:

Extensive formation of convoys protected by cruisers, destroyers, submarines and planes.

Deviations from the normal peacetime Atlantic trading routes for convoys and single ships.

Arming of the great majority of merchantmen and instructions to merchant shipping to make use of their armament against U-boats.

Admiralty orders to the British mercantile Marine to ram German U-boats.

Aerial reconnaissance on a big scale over all territorial waters and employment of planes against U-boats, partly in collaboration with destroyers and fishing smacks.

Employment of strong formations of submarine chasers against U-boats in the English channel, off the Norwegian coast in the North Sea, along the French and Western Spanish coastline and in own territorial waters.

Employment of cruiser formations against German commerce raiders (Panzerschiffe) in the Atlantic.

If the present form of economic warfare is continued, one can count in principle on the present defense methods being maintained, though with a considerable intensification of safety measures, a more intensive anti U-boat campaign, a perfection of countermeasures against U-boats and a slow increase in the use of mines against our U-boats and surface vessels.

C. *Possibilities of future naval warfare.*

I. Military requirements for the decisive struggle against Great Britain.

Our naval strategy will have to employ all the military means at our disposal as expeditiously as possible. Military success can be most confidently expected if we attack British sea-communications wherever they are accessible to us with the greatest ruthlessness; the final aim of such attacks is to *cut off all imports into and exports from Britain.* We should try to consider the *interest of Neutrals insofar as this is possible without detriment to military requirements.* It is desirable to base all military measures taken on existing international law; however measures *which are considered necessary* from a military point of view, provided a decisive success can be expected from them, will have to be carried out, *even if* they are *not* covered by existing international law. In principle therefore any means of warfare which is effective in breaking enemy resistance should be used on some legal conception, even if that entails the creation of a *new* code of naval warfare.

The supreme War Council, after considering the political, military and economic consequences within the framework of the general conduct of the war, will have to decide what measures of military and legal nature are to be taken. Once it has been decided to conduct economic warfare in its most ruthless form, in fulfilment of military requirements this decision is to be adhered to under all circumstances and under no circumstances may such a decision for the most ruthless form of economic warfare, once it has been made, be dropped or released under political pressure from neutral powers; that is what happened in the World War to our own detriment. *Every protest by neutral powers must be turned down.* Even threats of further countries, including the U.S. coming into the war which can be expected with certainty should the war last a long time, must *not* lead to a relaxation in the form of economic warfare once embarked upon. The more ruthlessly economic warfare is waged, the earlier will it show results and the sooner will the war come to an end. The economic effect of such military measures on *our own* war economy must be fully recognized and compensated through immediate re-orientation of German war economy and the redrafting of the respective agreements with neutral state; for this, strong political and economic pressure must be employed if necessary.

II. *How far are military requirements being fulfilled by the present form of economic warfare?*

The deciding factor in the present conduct of economic warfare is that the existing laws of naval warfare particularly the *laws* *concerning prizes* are recognized in principle. Economic warfare is therefore governed at present by the following basic rules:

(*a*) Individual unarmed enemy merchantmen: stopping, searching, seizing as prize or, where that is impossible, sinking.

(*b*) Individual *neutral* merchantmen carrying contraband for the enemy: stopping, searching, seizing as prize or, where that is impossible, sinking.

(*c*) Enemy merchantmen in convoy and neutral merchantmen in enemy convoy: sinking without warning.

(*d*) Troop transports: sinking without warning.

(*e*) All merchantmen resisting seizure or threatening our own ships: sinking without warning.

In view of the requirements of naval warfare and of the fact that a large percentage of enemy merchantmen have been armed and that such merchantmen have been clearly instructed by the Admiralty to make use of their armaments against U-boats, our U-boats are already entitled to sink without warning the following categories:

(*a*) All enemy merchantmen which are clearly armed.

(*b*) All enemy or neutral vessels in enemy coastal waters which are blacked out or behave in a suspicious manner.

(*c*) All ships making use of their wireless on the surfacing of U-boats or during seizure.

At present therefore stopping and searching is still necessary in the case of all individual unarmed enemy merchantmen, all neutral merchantmen proceeding either individually or in neutral convoys.

The following are *at present* exempted from seizure and sinking:

1. Merchantmen of the friendly neutrals—Italy, Spain, Japan and Russia.

2. Passenger steamers and steamers capable of transporting a considerable number of passengers, even when travelling in enemy convoys.

3. Individual neutral ships not carrying contraband which behave in a completely correct manner.

Furthermore, the whole of English export trade, the throttling of which would have serious consequences for the maintenance of English foreign trade, is, according to the present international law, exempt from being taken as a prize when carried on neutral ships.

A further limitation of the effectiveness of the economic war has, at the moment, been imposed as the result of an economic agreement with Denmark, resulting in the raising of the ban on

Danish exports of foodstuffs to England, in order to secure thereby the import of cattle food into Denmark via England, which will guarantee Germany important Danish foodstuff deliveries in the future.

England's main imports are being brought in under the convoy system which is now starting up. Our second wave of U-boats, which is now being marshalled, will therefore be used primarily against enemy convoys. The two U-boats which have up to now attacked convoys were in both cases successful in their attacks.

The results of the economic war to date, achieved by U-boats and surface vessels, are satisfactory from a military point of view, but the present form of economic warfare is completely inadequate for having *a decisive effect on the* course of the war. The stream of imports to England which has, as yet evaded confiscation and sinkings must, for the moment, be considered as quite sufficient for England's economic war needs.

The reasons for this are:

1. The fact that the number of U-boats and Atlantic commerce raiders is still small at the moment.

2. The non-exploitation of all the possibilities presented by the special characteristics of the U-boat by virtue of its ability to dive, for instance the possibility of cancelling the enemy's superiority at sea to a very great extent.

3. The, as yet, incomplete exploitation of the air force for economic warfare as well as for the destruction of the British import harbours.

4. The possibility the enemy has of guaranteeing a large part of his imports by way of employing the system of the "continued journey" on neutral ships via neutral receivers.

The observance by U-boats of the rules for determining the nature of ships as laid down in the laws governing prizes, (surfacing, stopping, examination) *cannot be justified any more* from a military point of view according to practical experience to date, especially in enemy coastal waters. The clear orders by the British Admiralty to British Merchant shipping to ram every German U-boat and to use their weapons, as well as the strong air cover and anti U-boat defences which U-boats have already encountered, show clearly the dangers to which U-boats are exposed in the vicinity of the enemy coast, when stopping and examining merchantmen. Only in rare cases is it possible to determine through the periscope whether a merchantman has the armament which justifies sinking. One must further consider the possibility of the mis-use of neutral flags and identification marks by

British Q-boats (U-boat traps) and merchantmen during the further course of the war. The prospect of success of our economic warfare will be considerably increased by strengthening our U-boat arm and our commerce raiders operating in the Atlantic and by simultaneously perfecting measures for hindering the "continued journey" of contraband via neutral states. *Even then we still cannot attain a decisive form of economic warfare.*

To sum up, it must be realized that the military demands for ruthless throttling of all *ingoing and outgoing maritime commerce* cannot be achieved now or in the future, by the present form of economic warfare against England.

III. *Possibilities of intensifying economic warfare at sea.*

a. Intensification of the present form of economic warfare.

The fact that enemy merchant ships have been armed on a big scale, as official British and French reports have stated, and that the British Admiralty has called upon all British merchant ships to ram all German U-boats, forces us as a first step towards intensification, to declare the raising of the ban on sinking enemy merchant ships of *all* kinds and in all places without warning. The U-boat's chances of success will be considerably increased by the measure, since it lessens the dangers from enemy aircraft and submarine chasers to which the U-boat is exposed each time it surfaces. The reason for the order can be found, without any need for further arguments, in the publication of the British Admiralty directive, as well as in the reference to the fact that the arming of all enemy merchant ships had been concluded, which fact gives these ships a military character.

Neutral States are to be advised to *forbid* their nationals travelling on belligerent merchant ships in view of the fact that ships will also be expected to be armed and intend to resist. Over and above this, efforts are to be made to get these neutral States which have a coastline to forbid the entry of belligerent merchant ships into their ports. If these measures are carried out, the possibility of conflicts with neutrals resulting from the submarine war is considerably lessened and British shipping placed in a very difficult position.

Submarine warfare in this form would not give rise to objections by neutrals, and it could at the same time be expected to achieve a great part of the effects of unrestricted submarine warfare without the disadvantages of the latter. This measure has the particularly valuable advantage of requiring *no general declaration of blockade zones*, which only cause a sensation, give rise to unrest and irritation among the neutrals and invite enemy counter-propaganda.

For the further intensification of the present form of economic warfare, the following additional orders are to be given:

1. Raising of the ban on the capture or sinking of Italian, Spanish, Russian and Japanese merchant ships. The measure is to be given a diplomatic justification and the governments in question are to be informed that in the interest of the German war effort we expect them to put a strict ban on the delivery of contraband to the enemy powers.

2. The systematic laying of non-contact ground mines in British harbours and rendezvous points on the east and west coasts by submarines and surface mine-layers. The extension of the use of mines to places overseas, by the use of auxiliary cruisers, this affecting the ports from which imports into Britain and France set out.

3. Concentrated attacks by the operational air force on the enemy's main ports for the handling of imports, with the aim of destroying the port and quay installations and the unloading appliances as military targets.

4. Accelerated large scale measures for keeping a watch on the neutral trade of the northern and neighboring states and also of Holland and Belgium in their export and import ports, for the purpose of stopping the re-dispatch of contraband goods.

5. The strongest political and commercial pressure on the countries in question to induce them to stop trading in contraband with England.

Despite the increase in the likelihood of success which can safely be expected, the economic war will still not satisfy the basic military needs even after the above-mentioned measures have been carried out. The system of stopping and searching merchant ships, in the way laid down in the laws governing prizes, which is so dangerous for submarines, still remains in effect. It is not possible to sink *without warning:*

(1) in the case of all neutral merchant ships, including those carrying contraband when travelling alone or in neutral convoys;

(2) in the case of all merchant ships which are not clearly recognized as *enemy* ones, though it must be taken into account that the enemy may soon begin disguising his merchant ships as neutral vessels.

It is impossible to estimate the extent of this trade carried on by single ships still subject to being stopped. It is however possible that it still forms a considerable part of the total trade which would mean that it would be doubtful whether this economic warfare would lead to a decisive success. Experience must show how far it is possible to cripple British trade by the intensified measures for economic warfare as laid down.

b. Declaration of a state of blockade.

The sense of a blockade was laid down in international law in the London declaration of the 26th February, 1909. Its basic legal prerequisites are (*a*) that it should be limited to enemy ports and coasts, (*b*) that its real effectiveness should be assured and (*c*) that it would be publicly declared. The meaning of "effectiveness" is to be construed in the light of the conditions of modern naval warfare, which demand that naval forces be spread out over a wide area, while largely ensuring the effectiveness of a blockade, even when the number of submarines and surface vessels available is small, by the use of the air force. A blockade of the British and French coasts is capable, if sufficient blockading forces are used of cutting off trade between Britain and France completely. Difficulties arise in the execution of the blockade from the fact that Britain is not effectively cut off from the neutral states of Holland, Belgium and Ireland; and affect both the effectiveness of the isolation of England from all trade, and the necessity for leaving trade routes open for the neutral states to destination overseas.

A blockade has the *following advantages* over the type of economic warfare applied to date:

1. *Military:*

The military demands are to a large extent fulfilled, and the safety of submarines increased. After the ban on sinking all enemy merchant ships without warning has been raised, which can be done independently of a blockade, the actual declaration of a blockade would, in practice, only have a new meaning in comparison with the previous position:

a. in the case of neutral shipping not travelling in convoy, and

b. in the case of merchant steamers not clearly recognized as enemy ones.

Actually, even under a state of blockade, it is not possible simply to sink these ships without warning, but the task of the submarines is nevertheless considerably simplified, since they no longer need conform to the routine of stopping and searching, as laid down in the laws governing prizes, since any ship breaking the blockade can be sunk, after the crew has taken to the boats, without it being necessary to investigate the nature of its cargo. The crew can be warned from a distance, thus considerably diminishing the danger of the submarine being shelled or rammed by the merchant ship.

The air force, being freed from the limitations of the prize laws, is also in a position to take an effective part in the conduct of the economic war, and to sink merchant ships breaking through the blockade, by the use of bombs, after having warned them by firing in front of them or into their bows with machine guns.

2. *Commercial.*

The blockade will cut off the enemy coasts from trade almost completely if a sufficient number of submarines, bombers and surface vessels is used. It has the very substantial advantage that not only neutral merchant ships bringing in imports, but also all neutral ships leaving with exports can be intercepted by the blockading force.

3. *From the point of view of international law.*

A blockade is a legal state recognized by international law. When it is really effective, objections from neutrals are not likely and can in any case be rejected, attention being drawn at the same time to the legal state of blockade.

4. *Political.*

The harm done to the neutrals by the complete throttling of their trade with England, by the difficulties put in the way of their domestic economy and trade with the other neutral countries, and by losses in men and material is considerable.

However one need *not expect* that the declaration of a state of blockade based on international law will as a matter of course lead to an extension of the conflict by the entry of neutral states into the war against Germany. One must however reckon on America entering upon a policy of armed neutrality for the purpose of bringing convoys to England.

To sum up on the question of a declaration of a state of blockade, it is to be noted that:

A ruthless policy of attacking *all* merchant ships without warning, though required militarily, is *not* possible. Even when a blockade has been declared, submarines must surface to warn neutral merchant ships and those which are not clearly recognized as enemy ones.

To blockade the British and French coasts in a manner which fulfills the requirements of international law as to effectiveness, we need a greater number of submarines and aircraft than we at present have at our disposal. Until the submarine arm has been reinforced and a large scale air force built up, the complete isolation of the enemy coasts will remain an illusion, and the blockade will have no chance of asserting itself legally. The declaration of a state of blockade would therefore give the neutrals politically undesirable opportunities to protest, and would give a handle to enemy propaganda. After neutral merchant shipping has been frightened off for a short time, neutral trade with England and France will be resumed, as soon as the risk is seen to be small. The danger of a loss of prestige by the Reich is to be expected.

b. The "Siege of England".

A "siege from the sea" is a new concept, unknown to existing international law. It can be considered an intensification of a blockade, and therefore represents the most intensified form of economic warfare. It brings into the picture (*a*) the air arm, whose position with regard to the laws of naval warfare has not yet been clarified and (*b*) the conditions of modern naval warfare —the great effectiveness of anti-submarine measures and air patrols. The aim of this "siege" is to bring the available naval forces — surface vessels, submarines and aircraft — into action with the most ruthless intensity.

The "siege from the sea" is based on the realization that submarines and aircraft can no longer operate really effectively under the conditions of economic warfare laid down in the laws governing prizes, in the coastal waters patrolled by the enemy from the air especially when one takes into account the policy of arming merchant ships, and the British Admiralty directive to merchant shipping to ram all German submarines. It allows submarines and aircraft to sink without warning every enemy or neutral ship approaching or leaving the coast of England. However efforts should be made, in conformity with the ethical codes of war, to warn the crews of neutral ships before sinking them and to allow them to take to the boats.

1. *The consequences of a siege in the fields of politics and international law:*

The idea of a siege presupposes a geographical relationship between the besieged territory and the besieging forces. It however helps the prosecution of the war to tie oneself down as little as possible to a delimitation of particular zones at sea. If the German government *publicly* declares a "state of siege" of the British Isles within a definite, geographically limited area, it will thereby not only reintroduce the *prohibited zone* of the Great War, but will reintroduce it in an even more intensified form, since not only submarines and surface vessels, but also aircraft, would have to use only armed force within that zone. The results of such a declaration, clearly defining the limits of the prohibited siege zone, would be to irritate the neutrals greatly and cause them to protest vigorously. Such a declaration, particularly as it is not essential, should therefore be avoided as long as the besieging forces are not strong enough and as long as the neutrals continue not to take up a definite position, and especially as long as the United States continues not to come in unreservedly on the side of the Western powers.

On the other hand it seems necessary to point out to the neutral governments that the German government is making efforts to ensure the continuance of peaceful trade between the neutral states and to inform them of the ways and means of continuing their peaceful trade with other neutrals, unmolested.

Since the term "siege" has not yet received legal sanction, the neutral states will try, by pointing out the absolute impossibility of ensuring an effective siege (in the sense of investing a fortress), to make the public declaration of a state of siege appear a breach of international law. As against this, it can be pointed out that Chamberlain used the expression "a besieged fortress", with reference to Germany itself, in his speech before the House of Commons at the end of September, 1939, and that the French press also spoke (at that time) of a besieging war against Germany. On the 12th October, 1939, the British Prime Minister further announced that England's full strength would be put into the war, i.e. that it would prosecute the war with all the legal and illegal means at its disposal. On the public announcement of a siege, with the declaration of a prohibited zone involving the sinking without warning of all merchant ships, one has to reckon with far-reaching political repercussions among the neutrals, in spite of the extremely favourable conditions for justifying it propagandistically. It is possible that America or other neutral states may rapidly enter the war on the side of the Western powers. There is no doubt that in April, 1917, it was the preceding introduction of total submarine warfare that was the direct cause of the entry into the war of the United States, but that this reason would not, *by itself* have led to war, if other important reasons, commercial and financial interests and an anti-German feeling among the public, to mention only a few, had not driven them towards war anyhow. It is probable that America is to-day again basically determined to support the Western powers if they are threatened by defeat, but that the *time* of America's entry into the war will be decisively influenced by incisive measures of economic warfare, such as the "siege of England".

The public announcement of a "state of siege" accompanied by the declaration of a prohibited zone, can therefore result in serious disadvantages in the fields of politics and of international law at the present moment, so that it seems right to exploit the term "siege" as propaganda, in the same loose way as the Western powers use it, but to avoid the formal legal announcement of a state of siege and of a prohibited zone.

Actually a strain on the Reich's political position is unavoidable, even *without* the public announcement of a "state of siege", since the practical effects of the intensified prosecution of the economic war, in the form of siege, the abandoning by the U-boats of economic warfare in accordance with the laws governing prizes, and the resulting breach of the Submarine Act of 1936 will in any case have a strong effect on neutrals.

However, by giving up the idea of announcing the concept "siege" publicly, we shall eliminate the possibility of the neutrals making protests based on international law and shall make it easier for the German Reich to reject all objections unambiguously.

2. *Military consequences:*

The aims of the "siege from the sea" fully fulfil the military demands for a completely ruthless prosecution of the economic war against England. It is however a military necessity that the public announcement of the intensest form of economic warfare i. e. that of a siege, should in no way cramp the decision of the directors of naval strategy, but should on the contrary leave them full freedom to take any military action demanded by the development of the situation.

The size of the forces at our disposal at the moment, especially the small number of submarines capable of Atlantic trips and of aircraft suitable for use against England, makes it completely impossible at present to invest the whole length of British and French coasts. Until about 150 submarines and a large number of aircraft suitable for the conduct of the war against England are ready in Spring 1941, the siege will be incomplete and will cover only a part of the total trade, which it will however be possible to attack with a good chance of success, owing to the removal of the regulations limiting measures to those laid down by the prize laws. It does *not* however, seem right from a military point of view, to make a *public declaration of a state of siege,* as long as the means available for carrying on the siege are still insufficient, so that the incompleteness of the declared siege inevitably becomes quickly apparent.

The directors of naval warfare must, whilst employing all available forces ruthlessly, try to adjust the strategic method to the potentialities of the forces on hand in each particular case. These forces—surface vessels, submarines, aircraft and mines—are, as a fundamental principle, to be used in such a way that the economic war cuts off enemy imports and exports as effectively as is possible, and is prosecuted independently of all legal concepts of economic warfare, *on the basis of the military operation.*

The declaration of a prohibited zone for the sinking without warning of all merchant ships does *not* seem desirable, if the neutrals are clearly informed that Germany intends using every means at her disposal to prevent all trade with England and France and that in the zone of operations around England and France every merchant ship *coming in* or *going out* exposes itself fully to the risks of war.

After the ban on sinking all enemy merchant ships without warning has been raised, which can be done at any time, *independently* of the declaration of a state of siege, the prosecution of the economic war in an intensified form during a siege raises the ban on the final possibility which is that of sinking without warning all neutral merchant ships travelling alone, and all merchant ships which are not clearly recognized as enemy ones. Where exactly sinking without warning is to be applied in the siege-area and in what form it is to be carried out is a matter for the supreme strategic command, and is governed by the possibilities of employing their forces as seen by the directors of naval strategy.

No definite assurance can be given that as a matter of principle neutral merchant ships will be warned before sinking, so that the crews can be saved. If this is possible under the particular circumstances without endangering the submarine or aeroplane, one must continue to aim at it, especially in the early stages of the intensified form of economic warfare, in accordance with the demands of the blockade. One must however expect that *submarines* especially will *not be able to* give a preliminary warning to merchant ships, owing to the grave danger to themselves resulting therefrom.

Aircraft can give the warning by firing in front of or into the bows of the ship.

After a delay which is long enough to allow the crew to escape, the steamer becomes subject to sinking.

The prosecution of the intensified economic war is to be supported as effectively as is possible by air raids on the enemy's main import and export ports, aimed at destroying the dock installations which are important for the war effort, and by ruthlessly laying mines right up to the enemy ports and coasts.

England's and France's measures of defense against the enforcement of a German military siege will probably include the following measures:

a. increased air patrols

b. perfection of anti-submarine devices

c. an increased use of mines to endanger the routes by which German commerce raiders set out

d. concentration of commerce into heavily guarded convoys

e. political and commercial pressure on all neutral states to support the commercial blockading of Germany

f. A ruthless propaganda activity.

One must also reckon on the American government hastening to build up the system of neutral convoys, thus entering upon a state of armed neutrality which will in practice primarily affect us.

3. *Commercial consequences.*

The enforcement of a siege aims at throttling the whole of England's and France's trade. The directors of naval strategy will therefore employ all the forces at its disposal to prevent *all* trade by the neutral states with England and France, *without* taking into consideration the type of cargo and without differentiating between export and import trade. We must expect England to use our declaration of a state of siege to throttle, in her turn, German exports in neutral ships as a reprisal just as she did in the Great War as a result of our declaration of a prohibited zone. The neutrals will accept this step by England with all the less objections if England points out to them that the Germans started the thing with their concept of a siege, which was a breach of international law.

Should a change in the American neutrality law take place in the next few weeks, in the direction of a reintroduction of the cash and carry clause for all goods shipped from America to the belligerent powers, the premises for the announcement by us of an intensified form of economic warfare would be all the better, since American interests would no longer be affected by the throttling of British imports.

IV. *Political and economic measures in support of naval warfare.*

For the prosecution of any intensified economic warfare all the relevant possibilities should be exploited and political and economic measures used in support. England's refusal to accept the Fuehrer's constructive peace suggestions may possibly lead to a temporary anti-British and anti-French attitude amongst many neutrals; this must be utilized by Germany to attempt to mobilize neutral countries against Britain as far as possible by insisting on Great Britain's sole responsibility for the continuation of the war and for the heavy economic pressure to which the neutrals are exposed. The aim of German economic policy must be to set up a continental European blockade directed against Britain. The economic system of neutral states must be adapted quickly, and with far-reaching German help in organizing the change, to new trade connections with Germany and other neutrals and to a complete stoppage of trade with Great Britain.

A question to be examined is, whether favourable premises for the German conduct of a ruthless economic war in the form of a siege can be created in America by referring to forthcoming American legislation and to the results of the Panama conference.

The draft of the new neutrality law submitted to Congress intends to confer powers on the President to declare certain territories to be *war zones,* entry into which is forbidden for American ships and American nations. If and when this clause becomes effective it will be possible to refer to it and to suggest that it should apply to British and French coastal waters.

Such a suggestion can be suggested with a reminder that in the Pan-American conference the American state claimed extensive sea-areas as their spheres of interest, wherein no warlike operations were allowed to take place. They should therefore recognize similar areas surrounding the belligerent countries as being the spheres of interest of the *belligerents* and they are not justified in protesting if those belligerents make the utmost use of the means at their disposal in those areas.

Should the political leaders consider the recognition of the neutral maritime zone demanded by the American states, such recognition can be made dependent on the American states undertaking on their part to forbid their merchant ships entering the operational zone around Britain and France.

Should the political leaders decide on a *gradual* intensification of economic warfare, it will be possible to create favourable psychological premises for Germany's action by agreeing in principle in Germany's reply to the decision of the Panama conference not to treat food products as contraband, *providing reciprocity is ensured.* The British refusal to give similar assurance, which can be expected with confidence, could be the basis for a more ruthless economic campaign against England, particularly in the form of a siege.

D. *Conclusions.*

1. The present form of economic warfare according to the law governing prizes does not correspond to the military demand for utmost ruthlessness.

A large part of the enemy's mercantile trade, including all exports in neutral ships, is *not* covered.

The requirements of naval law that neutral merchantmen be stopped and searched can *no longer* be fulfilled, in view of the strength of aerial reconnaissance and U-boat countermeasures in the enemy's westal waters. Economic warfare according to the law governing prizes has therefore to be limited and in the North sea and the Baltic must be left to surface craft only. In the Atlantic, U-boats in enemy westal waters will limit their activities to attacks without warning on convoys, troop transports, armed merchantmen and (once it has been approved) all enemy merchantmen, and will conduct economic warfare according to the laws governing prizes only in exceptional cases. The use of the operational air-force for economic warfare is not possible. Economic warfare is conducted within the framework of international law and the possibility of a controversy with neutral states is ruled out.

If the supreme command for political reasons should not be able at the moment to decide to prosecute the economic war in the most vigorous form possible by having recourse to a siege, it will be possible to increase the effectiveness of the policy of throttling enemy trade by a ruthless increase in the use of mines and by air attacks on enemy port installations. *One cannot, however, expect a decisive result from the economic war in its present form.*

2. *For the future conduct of economic warfare the basic military requirements demand the utmost ruthlessness.* The employment of the "siege by sea" as most intensified form of economic war meets this demand. Even without the public announcement of a state of siege after it has been clearly defined as a concept—a declaration which would have drawbacks militarily and from the point of view of international law—and even without the declaration of a prohibited zone, it seems perfectly possible at the moment, as has been explained in this memorandum to take military measures to introduce the intensest form of economic warfare and to achieve what is at present the greatest possible effectiveness in the interruption of enemy trade, without the directors of naval strategy being bound down in all cases to special forms and areas.

The suggestions for the announcement of the intensification of economic warfare in the form of a siege, indicated in general terms, and the note to the neutrals are given in Appendix 3 and 4.

The decision as to what form the intensification of the war against merchant shipping is to take, and the timing of the transition to the most ruthless and therefore for this war *final* form of naval warfare, is of the most far reaching political importance. This decision can only be made by the Supreme Command, which will weigh up the military, political and economic requirements against one another.

APPENDIX 1

Economic situation—Great Britain

I. *Import requirements in peace-time.*

Percentage of total requirements imported	75%	73% (of total value)	96%
Imported quantities 1937	23.9 million tons	35.2 million	11.2 million tons
Details of Imports	Many bulkfodder products and highly concentrated food products	Many bulk raw materials, few manufactured goods	Mainly refined mineral oil.

Details of dependence on imports from abroad:

Food products:

Fats, tea, coffee, cocoa, semi-tropical fruit	90–100%
Cereals	80– 90%
Sugar	70– 80%
Cheese, fruit	60– 70%
Meat	50– 60%

Raw materials:

Rubber, cotton, silk, jute, lime, bauxite, nickel, antimony, mercury	100%
Copper, manganese, chrome	99–100%
Pyrites, wolfram	98– 99%
Flax, zinc	96– 97%
Wood, mineral oil	96%
Tin, lead	92– 93%
Wool, skins and hides	71%
Iron ore (ferro-contents)	

Only requirements of coal and nitrogen are completely covered by Home production.

II. *Import requirements in war-time.*

The necessity of importing any goods can be very much reduced and can sink far below the peace-time requirements by the scaling down of civilian requirements and the changing over, from the import of bulk to that of concentrated products, reduction of reserve stocks, increasing home production and administrative measures. On the other hand importing of mineral oils must be stepped up. Estimates carried out by the Trade Investigation Institute [Institut fuer Konjunkturforschung] by order of the German Admiralty (O.K.M.) yield the following picture:

British import requirements in war-time (in million tons)

	1937	1st year of war	2nd year of war
Agricultural produce	23.9	19.0	16.2
Industrial imports	35.2	24.8	18.9
Mineral oils	11.2	21.8	24.2
	70.3	65.6	59.3

If reports are to be scaled down and exports limited, an emergency measure which Britain may take, as she did in the World War, imports can be further reduced to an extent dependent on the throttling of exports.

Total import requirements (in million tons)

	1st year of war	2nd year of war
Maintenance of industrial imports at half level	60.0	53.7
If exports are stopped altogether	56.5	50.2

One must therefore expect Britain to be able to scale down imports in case of need, probably up to 30% of her peace-time standards.

III. *Tonnage requirements.*

1. *Dry goods.*

The British mercantile fleet, excluding oil-tankers, amounted to 12.8 million gross registered tons in the middle of 1939; which was adequate for peace-time import requirements.

In war-time a number of efficiency-impairing factors will have to be taken into account, namely

a. Immobilization of tonnage through congestion in harbours.
b. Longer sea routes.
c. Longer duration of voyages.
d. Increased marine accident rate through convoy procedure, etc.

These are balanced by a number of *efficiency-increasing* factors such as

a. Centralized control.
b. Concentration of tonnage on the shortest sea-routes.
c. Full utilization of the carrying capacity of ships.
d. Elimination of incidents, etc.

Taking all factors into account, the following tonnage will be required for the war-time imports as laid down in Part II above:

	Required tonnage in million gross registered tons	
If exports are maintained up to:	1st year of war	2nd year of war
100%	7.5	5.9
50%	6.6	5.1
0	6.0	4.5

A reserve of British tonnage, which fluctuates between 5.3 and 8.3 million gross registered tons according to estimated war-time import requirements, is therefore available for other needs, i.e.

a. requisition for military purposes,
b. total losses through marine risk (excluding war losses)
c. assistance of the allies (France)

2. *Mineral oils.*

The cargo capacity of the British tanker fleet amounted to 2.9 million gross registered tons in the middle of 1939 almost exceeded peace-time requirements by twice. The greatly increased requirements of mineral-oil for war purposes will demand approximately 2.6 million gross registered tons during the first year of war

approximately 2.9 million gross registered tons during the first year of war

There will therefore not be a reserve of British oil-tanker tonnage worth mentioning (but see under IV,1)

IV. *Tonnage reserves.*

1. *Existing reserves:*

The principal reserves for Great Britain from amongst the merchant navies of neutral countries is formed by the oil-tanker fleet of the U.S.A. amounting to 2.8 million gross registered tons and the merchant navies of the Nordic States and Greece with a total of 12.3 million gross registered tons, of which 2.1 million gross registered tons are Norwegian oil-tankers. It is difficult at present to forecast which proportion of that reserve Britain will be able to use in case of need.

Tonnage from the Dominions and Colonies (3.1 million gross registered tons) will presumably only be available to the U.K. to a small degree, since it can not be spared from local and inter-Empire traffic.

2. *Output reserves.*

The shipbuilding capacity of Britain and the U.S. is expected to reach 6 million gross registered tons per annum. However, this output will only be reached in the third year of war. Shipbuilding in Britain alone may amount to 1.5 million gross registered tons in the first year of war and to 2 million gross registered tons in the second year of war, though this output may be reduced through aerial warfare.

V. *Dependance on Nordic and Baltic States.*

Great Britain imported the following percentages of her total imports from the Nordic and Baltic States in 1937:

Agricultural produce:		
	Bacon	70%
	Butter	42%
	Eggs	70%
Wood, including imports from Russia:		
	Timber	65%
	Wood pulp	90%
	Paper, cardboard	55%
Iron ores		22%

The transfer of such imports for other supplier countries is for Britain simply a problem of shipping space and price. The elimination of Nordic and Baltic supplier countries will not at present create a bottleneck in British war economy.

VI. *North American Continent as a purveyor.*

North America is able to cover more than 90% of Britain's wartime import requirements, provided the U.S.A. put their resources fully at Great Britain's disposal, if necessary in some cases by limiting their own consumption.

1. *Agricultural products:*

Provided there are no bad harvests, requirements can be fulfilled by North America, where the market at present shows a strong tendency towards overproduction and reserves of fodder make a quick increase of cattle stocks possible.

2. *Wood:*

Requirements can be supplied by Canada.

3. *Iron and steel.*

Since the American iron and steel industries were only utilized up to 60% in August 1939, the U. S. would be able to cover Britain's total iron and steel requirements, provided full use was made of their industrial capacity and that supplies to other countries were held up where necessary.

4. *Non-ferrous metals:*

Requirements of copper, nickel, zinc, lead and titanic iron can be met in full.

5. *Textiles:*

Excluding the manufacture of high-class fabrics and yarns requiring Egyptian cotton, British cotton requirements could be supplied by the U.S., all the more since a 6 months' reserve of world supplies, i.e. 12 million bales, are held there.

6. *Oil.*

In view of the gigantic oil reserves and the possibilities of a quick increase in production, British requirements can be met by the U.S.without imposing a reduction of their own consumption.

North America cannot supply the following goods:

Wood, flax, hemp, jute	approx. 0.8 million tons
Manganese	approx. 0.3 million tons
Rubber	approx. 0.2 million tons
Lime	approx. 0.2 million tons
Tin	approx. 0.1 million tons
Bauxite	approx. 0.3 million tons
Total:	approx. 1.9 million tons

Mercury, chromium ore, antimony and wolfram are either not available in North America or in sufficient quantities. These metals in view of the small quantities which are required, have little bearing on the tonnage position, similar to certain raw materials of a mineral or earth nature, furs and hides and chemical products which can only be partly supplied by the U. S.

Such far reaching deliveries to England by North America would considerably ease the protection of her trade by the concentration of sea communications in the Atlantic. At the same time, requirements of English tonnage would be greatly reduced.

APPENDIX 2

The military value and the position of international law in regard to warning areas and prohibited zones.

a. Warning areas come into consideration only where *mines* are being used against *military objects.* It makes no difference whether the use of mines is a defensive one in our own coastal waters, or whether they are being used in the battle against military objects in any other parts of the high seas. The use of mines in this manner is permissible under international law.

Mines that are laid endanger very naturally both enemy and neutral merchant shipping. From this the question arises as to whether merchant shipping must be warned. The warning that mines have been laid is not an unconditional duty in international law; it is called for, where it is to be used as a means of determining merchant shipping; it is out of the question where it would lessen the moment of surprise against military objects.

The declaration of warning areas is therefore a question of military consideration. The declaration of a warning area does *not* allow *the right to make use of any further mediums of naval warfare,* and therefore not of U-boats either.

b. Prohibited zones only come into consideration where, for *military reasons,* the navigation of particular maritime areas by warships and by all merchant ships must be hindered by the unlimited use of weapons.

Prohibited zones for defensive purpose in ones own coastal waters are acknowledged in international law. As prohibited zones for the purpose of attack in the enemy's coastal waters has not yet been found general, though already considerable acknowledgment in international law, it is judicious to confine them for the time being to maritime areas where their military purpose can be clearly recognized and can not be denied (naval ports, ports of military importance, straits, narrow seas). The damage to merchant shipping resulting from this is an unavoidable secondary effect, which does not offer any considerable opportunity to the enemy's propaganda. Prohibited zones for the actual purpose of combatting merchant shipping is *not permissible under international law;* its declaration gives the enemy a first class weapon for their propaganda.

Contrary to the warning areas, there is the duty under international law to make a declaration in the case of prohibited zones.

According to the development of the military situation it may be possible to carry out extensions of the prohibited zones gradually *for military reasons,* so that merchant shipping can be progressively crowded into narrow and narrower shipping lanes that are easy to control. The success of such measures can only be expected, if the effectiveness of the prohibited zones can be guaranteed, and if merchant shipping is, as a result, deterred from navigating the prohibited zone.

Prohibited zones for the actual purpose of combatting merchant shipping, no matter what they are called or how it is going to be attempted to justify them under international law, can only then be considered, when political considerations for neutrals can be dropped.

APPENDIX 3

Draft for a proclamation by the Fuehrer

I have received an answer of refusal to my proposals for a just and secure peace, desired by all nations.

The enemy's wish forces us to continue a war, the absurdity of which must be clear to any sensible politician who is aware of his responsibilities and who is concerned for the welfare of his people. The sanguinary guilt for this crime rests before the world and in history with the warmongers who are in power in Britain and in France at the present time.

Britain is our mortal enemy. Her aim is the destruction of the German Reich and the German people. Her method is not one of honest war, but the one of dastardly and brutal starvation, nay, the annihilation of the weak and defenceless not only in Germany but throughout the whole of Europe. History proves it.

The head of the British Government remained true to this historical attitude, when, on the 26th September, 1939, he declared to the House of Commons that the blockade at sea against Germany that had now been declared by Britain was in no way different from a siege on land, and that never yet had it been customary to allow the besieged free rations.

We Germans will neither allow ourselves to be starved, nor shall we capitulate. But by paying back in equal currency we shall let Britain herself feel from now on, what it feels like to be besieged, so as to finally rid the world of the intolerable and undeserved British despotism and bondage.

Just as the head of the British government announced in his speech of the 12.10.1939 that he will employ Britain's active strength in this war, i.e. to fight with all legal and, as is already happening, with illegal methods also, so shall we also employ our weapons during the war which has been forced on us in the defence of our existence and our rights, with the utmost ruthlessness though under respect for military ethics.

The German government will take all measures to cut Britain and France off entirely from all supplies, such as is the case in every siege according to the words of the British Prime Minister.

From now on enemy ships met with in the operational zone around Britain and France—without consideration for its flag—exposes itself fully to the dangers of the war. The German government will keep up these military measures until such a time, as the certain guarantee exists, that Britain is prepared for free and orderly relations with all the peoples of Europe.

APPENDIX 4

Draft for a note to the neutrals

In their desire to conduct the war which has been forced upon the German people by the British declaration of war in such a manner as to limit it to the use of military forces on both sides, and so as to spare neutral commerce as much as possible, the German government returned fully to the principles of the London treaty on naval warfare of 1909 in the new German law governing prizes, which was announced on the 3rd September, 1939, but revoking the additional measures that had become necessary during the Great War as a reprisal against the British measures at that time. In accordance with this, in the regulations concerning contraband only *those* articles and goods destined for enemy territory or for the enemy forces, which actually serve the arming of the army, navy or air force, were announced to be absolute contraband. For the time being the German government had refrained from compiling a list of conditional contraband altogether, and had instructed its naval forces not to take goods of this nature as a prize. However, after the British government had published a list of unconditional contraband on the 4th September, 1939, which went far beyond the regulations of the new German law governing prizes, and after the British government had, at the same time, published a list of conditional contraband and had included in this list foodstuffs and other vital goods, the German government felt obliged to adapt the German regulations regarding unconditional and conditional contraband to the British procedure.

In the Fuehrer's peace offer, proposals for further efforts to make war more human were made on the 12.10., however, the British Government, through the medium of the British Prime Minister, not only turned down all efforts for peace, but it declared to the world that it intended, together with her ally France, to carry the fight to destroy Germany through to the utmost limits of British strength. In this present war Britain once again regards this starvation blockade as its strength. Thus the British Prime Minister expressly stated in the House of Commons on the 27th September, 1939, that Britain intended to carry out the blockade from a distance against Germany and felt herself entitled in doing so, contrary to the laws concerning blockades, and in no way different from a siege on land. Referring to this, a British prize court during the Great War expressly stated that it was not only directed against children, women and old men, but also against the neutrals situated in the besieged area.

In his answer to Britain on the * * * the Fuehrer told the world, that after his constructive proposals for peace and his proposals for making war more human had been turned down, he was now also determined for his part to carry out the total cutting off of Britain and France from all overseas trade, with all the means at the disposal of the German armed forces, as a reprisal against British blockade methods.

In its note of the * * *, the German government has already requested the neutral governments to point out to the merchant ships sailing under their flags, that in their own interest, and so as to avoid being mistaken for an enemy warship or an enemy naval auxiliary, they are not to behave in any suspicious manner, such as altering course or sending wireless messages on sighting German naval forces, zigzagging, steaming blacked out, not following instructions, accepting an enemy escort, etc. As a result of the situation crested by Britain's behaviour, the German government is now obliged to address the urgent request to all neutral states, that they should ask the merchant ships under their flags to desist from sailing in waters around Britain and France in every case, and to follow the example set by the U. S. A. and warn all their subjects not to use ships of the nations at war.

The German government finds itself forced to take these measures, because

of the arming of enemy merchant ships and the instructions issued by the British Admiralty to all enemy vessels to attack all German U-boats by ramming,

of the commencement of escorting merchant ships by warships,

of the supervision of traffic by warplanes as well as the setting up U-boat traps,

these waters have perforce become an operational area, where naval actions must be reckoned with at all times, and where, as a result, neutral shipping also *is faced by the utmost danger.*

The German government is not in a position to accept any responsibility whatsoever for accidents that neutral ships or persons might meet with in this operational area.

The German government is endeavoring as much as possible to guarantee the maintenance of peaceful commerce amongst the neutral countries. She is therefore willing to inform neutral governments, whose countries are situated in the proximity of these waters that have now become an operational area, as to how and in what manner the continuation of their peaceful commerce can be safeguarded.

COPY OF DOCUMENT UK-66

REPORT OF BRITISH WAR CRIMES SECTION OF ALLIED FORCE HEADQUARTERS ON GERMAN REPRISALS FOR PARTISAN ACTIVITIES IN ITALY

The British War Crimes Section of the Allied Force Headquarters has investigated fully a number of cases of German reprisals for partisan activity in Italy, committed between April and November, 1944. In addition it has been established that information received from many sources on a further large number of atrocities committed between March 1944 and April 1945, is substantially correct.

A study of all these cases reveals that there is a striking similarity in the facts. The incident invariably opens the killing or wounding of a German soldier or soldiers by partisans; reprisal activity is then initiated either by the troops immediately on the spot or in more serious cases, by the arrival of definite units and formations specially detailed for the purpose. There is no taking of hostages in the normal sense of the word, but a number of people are selected haphazardly from the local population and are killed by shooting or hanging, whilst whole villages or certain farms or houses are destroyed by fire. In a number of cases an announcement is then made to the population that the action taken was a reprisal for the death of a German soldier and will be repeated should further attacks on Germans take place.

A typical example is the Civitella atrocity, one of those cases which has been completely investigated. Partisan Bands had been operating in the area, attacking lone German lorries and motor cycles. On June 18th, 1944, two German soldiers were killed and a third wounded in a fight with Partisans in the village of Civitella. Fearing reprisals, the inhabitants evacuated the village but when the Germans discovered this, punitive action was postponed. On June 29th, 1944, when the local inhabitants were returning and were feeling secure once more, the Germans carried out a well organized reprisal, combing the neighbourhood. Innocent inhabitants were often shot on sight. During that day 212 men, women and children in the immediate district were killed. Some of the dead women were found completely naked. In the course of investigation, a nominal roll of the dead has been compiled, and is complete with the exception of a few names where bodies could not be identified. Ages of the dead ranged from 1 year to 84 years. Approximately 100 houses were destroyed by fire; some of the victims were burned alive in their homes.

On December 16th, 1942, Keitel issued an order relating to the combatting of Partisans. This order was captured in Crete. (A copy, with English translation, is annexed hereto and marked 'A').

On June 17th and July 1st, 1944, Kesselring issued orders on this subject. (Copies, with English translations, are annexed hereto and marked 'B' and 'C'). Document 'B' was found at Kesselring's H.Q., after the surrender of the German Forces, whilst Document 'C' was found amongst the records of the Ortskommandatur, Castiglione dei Popli, Nr. Bologna. Other evidence of the issue of this second order to German formations has been found.

A comparison of Documents 'A', 'B', and 'C' makes it clear that Kesselring's orders were in accordance with a policy laid down by the Supreme Command. Documents are held proving that this general policy was dictated to lower commands in the German Army in Italy.

Evidence has been found to show that a large number of the atrocities in Italy was committed by the Hermann Goering Parachute Panzer Division. Notable offenders also were 1 Parachute Division, 16 SS Panzer Grenadier Division and 114 Light Division.

The orders of the German Command were made known to the local population in a series of notices which were exhibited in towns and villages throughout German-occupied Italy and were published in newspapers. (A specimen copy of a typical Notice to the inhabitants of Covolo is annexed hereto and marked 'D'.)

In the cases on which reliable information is held, it is considered that a conservative estimate of the number of persons who met their deaths at the hands of the German soldiery, is more than 7,500 men, women and children ranging in years from infancy to extreme old age. In the Ardeatine Caves case in Rome, alone, 335 men were shot. Many other reports have not yet been substantiated, but it is certain that the total of innocent Italian civilians who were killed in such reprisals is very much greater than the number given above.

APPENDIX

Sources of information on which this report is based

1. 127 German official documents collected by A.F.H.Q.

2. Official A.F.H.Q. reports resulting from the investigation of the following atrocity cases:

Place	*Date*
Ardeatine Caves, Rome	24th March, 1944.
Guardistallo	29th June, 1944.
Fucecchio Marshes	6th July to 23rd August, 1944.
Rifreda Castello	5th August, 1944.
Commune of Cavriglia	4th, 8th and 11th July, 1944.
Bucine	7th, 8th and 9th July, 1944.
Civitella	29th June, 1944.
Badicroce	30th June to 17th July, 1944.
Palazzo Del Pero	24th June, 1944.
San Pola	14th July, 1944.
Castiglion Fibocchi	11th July, 1944.
S. Giustino Valdarno	6th July, 1944.
Quota	9th to 11th July, 1944.
Partina Moscaio	13th April, 1944.
Montemignaio	20th to 29th June, 1944.
Stia-Vallucciole Valley	13th to 18th April, 1944.
Sarsina	28th September, 1944.
Verruchio	21st September, 1944.
Villa Del Albero, Ravenna	27th November, 1944.

Padulivo 10th and 11th July, 1944.
Gobbio 20th to 23rd June, 1944.

'A'

COPY
TRANSLATION
Enclosure to 3rd Copy.
Br. B. Nr. 71/42 g. Kdos. (Top Secret)
v. (of) 1. 1. 1943.
Chief Judge & Legal Adviser of
High Command SOUTH (b. O.B.S.)
H. Q. 16. 12. 1942.
Copy of Copy.

The Chief
of the High Command of the Armed Forces
Nr. 004870/42 Top Secret, Armed Forces Operations Staff/Chief Operation Office (g. Kdos. WFSt./Op (N))
Subject: Combattings of Partisans.

Top Secret

Reports have been submitted to the Fuehrer, that individual members of the armed forces participating in the fighting against partisans, have subsequently had to account for their actions in combat.

The Fuehrer has therefore ordered:

1. The enemy employs in partisan warfare communist-trained fanatics who do not hesitate to commit any atrocity. It is more than ever a question of life and death. This fight has nothing to do with soldierly gallantry or principles of the Geneva Convention.

If the fight against the partisans in the East as well as in the Balkans, is not waged with the most brutal means, we will shortly reach the point when the available forces are insufficient to control this area.

It is therefore not only justified, but is the duty of the troops to use all means without restriction—even against women and children—as long as it ensures success.

Any consideration for partisans is a crime against the German people and the soldier at the front who will have to bear the consequences of partisan plots, and who can see no reason whatever for showing the partisans and their followers any leniency.

The principles must also govern the application of the "Directives for combatting partisans in the East"

2. No German employed against partisans will be held ac-

countable *for his actions in the fighting against them or their followers,* either by disciplinary action or by Court Martial.

All Commanders of troops employed in fighting partisans are responsible that:

The contents of this order are strongly impressed on all officers of subordinate units.

Their legal advisers are informed of this order immediately.

No judgments are confirmed, which oppose this order.

Signed: KEITEL.

For the correctness of the
copy of a copy

Certified Copy
Signed

Oberkriegsgerichtsrat d. Lw.

Captain.

"B"

COPY.

8 Originals.

17th June 1944. *8th Original.*

MOST SECRET.

1. GHQ Staff, 10th Army,
2. GHQ Staff, 14th Army,
3. Army Group, V ZANGEN,
4. General Plenipotentiary German Armed Forces in ITALY.
5. HQ LUFTFLOTTE 2.,
6. German Naval High Command, ITALY
7. Supreme Head of SS and Police, ITALY
8. General i/cTPT ITALY,
9. Plenipotentiary of the Greater German Reich with the Italian Government, Ambassador RAHN.
10. Staff R. u. K.

Carbon Copies to:

GOC in C SOUTH-WEST/Chief Q Branch

GOC in C SOUTH-WEST/H.Q. Staff.

GOC in C SOUTH-WEST/H.Q. 111

GOC in C SOUTH-WEST Chief Liaison Off (O.T. (2 copies)).

GOC in C SOUTH-WEST OC Tech Tps.

GOC in C SOUTH-WEST Gen i/c Maint of Rlys in ITALY.

Ref: *TPM GOC in C SOUTH-WEST Ia No.4968/44 MOST SECRET dated 10th May 1944.*

Concerning: *New Measures in connection with operations against Partisans.*

1. The partisan situation in the Italian theatre, particularly in

Central Italy, has recently deteriorated to such an extent, that it constitutes a serious danger to the fighting troops and their supply lines as well as to the war industry and economic potential.

The fight against the partisans must be carried on with all means at our disposal and with *the utmost severity.* I will protect any commander who exceeds our usual restraint in the choice of severity of the methods he adopts against partisans. In this connection the old principle holds good, *that a mistake in the choice of methods in executing* one's orders, is better than failure or neglect to act. Only the most prompt and severe handling is good enough as punitive and deterrent measures to nip in the bud other outrages on a greater scale. All civilians implicated in anti-partisan operations who are apprehended in the course of reprisals, are to be brought up to the Assembly Camps which are being erected for this purpose by the Quartermaster General C in C South-West for ultimate despatch to the Reich as workers.

2. The combat against Partisans consists of passive and active operations with centre of gravity on the latter. The passive combat consists of protection of important buildings of historic or artistic value, railways, and roads, as well as essential installations such as power stations, factories, etc.

Even these passive operations must be conducted within the local boundaries for example, Recce Troops will constantly guard the foreground of an installation to be protected.

Active operations will be conducted especially in Partisan overrun districts where it is vital to maintain the life-line of the Armed Forces. These Partisans will have to be attacked and wiped out. Propaganda amongst Partisans (as well as use of agents) is of utmost importance.

3. The responsibility for the entire operations against Partisans in the Italian theatre and the fundamental instructions for same continue to be valid with the following amendments:

GHQ 10 and 14 Armies are responsible for all operations against Partisans within their Army Sectors and Army Group V Zangen within the coastal belt to a depth of 30 kms. The tasks entrusted to the GOC in C Operational Zone Adriatic Coast in connection with coastal defense (in accordance with Fuehrer Instruction No. 40) are not affected by this ruling. In the remainder of the Italian Theatre the Supreme Head of the SS and Police conducts the operations against Partisans on his responsibility, in accordance with my instructions. Details in connection with delineation of the 30 km wide strip along the coastal zones are to be settled direct between the Supreme Head of the SS and

Police and Army Group V Zangen. The boundary between 14th Army, 10th Army and Army Group V Zangen Quercianella (North of Rosignano)—Certaldo-Figline-Sansepolora from there along road 73 to Fano (Road incl. to 10th Army)

4. *Armed Forces for Operations against Partisans:*

Here one has to differentiate between:

(*a*) Military units (Police forces, Govt. Troops Bohemia and Moravia etc.) who are exclusively employed for active and passive operations against Partisans. These are subordinated to the Supreme Head of the SS and Police Italy.

(*b*) *Task Forces and guard detachments:* For this purpose Task forces are to be formed, armed and trained by withdrawn formations, staffs and units and these should be placed upon demand without any reservations, at the disposal of the local staff HQ, local Headquarters, combat commander, SS unit. Outside the Army sectors and the 30 km. wide coastal strip upon the request of the Supreme Head of the SS and Police, they are to be utilized to the fullest extent for operations against Partisans in so far as the position and their other tasks permit.

The local command of operations, within the jurisdiction of the Supreme Head of the SS and Police, where units of the Wehrmacht are utilized as well, depends upon the proportionate strength of the Wehrmacht and Police forces employed. The responsibility for the general conduct itself rests with the Supreme Head of the SS and Police Italy.

(*c*) Each local Commandant is responsible for the safeguarding of his locality and immediate surroundings and this applies as well to operations against Partisans. The military local HQ areas are to be subdivided into security sectors, to be placed under the order of the leader of the Armed Forces, SS or Police, whichever is the most suitable for the task. He is fully responsible for the security within his sector. All shock troops, task forces etc. are at his disposal upon request from the local Heads. Rapid action guarantees surprise and success. Such security Commandants are especially to be appointed along the main reinforcement routes within the Army Sectors and the 30 km. wide coastal strip by the Armies or Army Group V Zangen with definite tasks allotted to them. Within the rest of the area, the security commanders are to be allocated by the Supreme Head of the SS and Police in collaboration with Army Group V Zangen and the Plenipotentiary General. They will take their orders in this district from the Supreme Head of the SS and Police, notwithstanding their belonging to part of the Armed Forces.

(*d*) *Operations against Paratroopers* will be undertaken in addition to operations against Partisans.

5. The protection of the following lines of communication is of primary importance:

(*a*) *Railway Sections* (South of the PO)

(1) Alessandria-Genoa-La Spezia-Leghorn-Cecina
(2) Cremona-Fornova-Borga Val Di Taro-La Spezia
(3) Casalmaggiore-Parma-Fornova
(4) Ostiglia-Bologna-Pistoia
(5) Ferrara-Bologna-Prato-Florence
(6) Florence-Empoli-Siena-Chiusi
(7) Florence-Arezzo-Terontola-Chiusi
(8) Torontola-Perugia-Foligno
(9) Fano-Fermignano-Fabriano
(10) Ancona-Fabriano-Foligno
(11) Aquata Scrivia-Tortona-Piacenza-Parma-Modena-Bologna-Rimini-Ancona-Civitanova
(12) Viareggio-Lucca-Pistoia-Prato-Florence
(13) Pisa-Empoli-Florence

(*b*) *Roads*

(1) Tortona-Genoa (35)
(2) Piacenza-Genoa (45)
(3) Parma-Sarzana (62)
(4) Reggio-Sarzana (63)
(5) Fivizzano-Castelnuovo-Bagni Di Lucca
(6) Modena-Lucca (12)
(7) Bologna-Pistoia-Florence (64, 66).
(8) Bologna-Florence (65)
(9) Forli-Florence (67)
(10) Forli-Meldola-Bagno-Sanseroloro-Umbertide-Perugia
(11) Cesena-Bibbiena-Arezzo (71)
(12) Fano-Urbino-Arezzo (73)
(13) Fano-Foligno (3)
(14) Ancona-Fabriano-Fossato (76)
(15) Ancona-Loreto-Macerato-Foligno (16, 77)
(16) Ponnedera-Volterra-Saline-Massa-Maritimia-Follonica
(17) Empoli-Poggibonsi-Siena-Padicofani (2)
(18) Florence-Poggibonsi-Cecina (2, 68).
(19) Florence-Impruneta-Radda-Castelnuovo-Sinalunga
(20) Florence-Arezzo-Perugia (69, 75)
(21) Arezzo-Siena-Monte Piscaldi (73)
(22) Florence-Bibiena (70)

(23) Forli-Meldola-Bagno-Sansepoloro-Umbertide-Perugia
(24) Rimini-Pesaro-Ancona-Civitanova.

Roads of No. 2 Priority Importance.

(1) Castelnuovo-Pievo Polago
(2) Poretta-Sambuca-Pistoia
(3) Sassabol-Castiglione-Prato
(4) Imola-Firenzuola-S. Piero.
(5) Faenza-Borgo S. Lorenzo-Florence.
(6) Santarcangello-Sansepoloro.
(7) Persaro-Urbino.

The relative needs of the various installations and buildings of artistic and cultural value to be guarded along the railway lines is to be agreed upon on the one hand by the Armies, Army Group V Zangen, the Supreme Head of the SS and Police and on the other hand by the General i/c Transportation, in direct consultations. The safeguarding of the buildings of artistic and cultural value along the roads within the Army Sectors and the coastal strip are the responsibility of the Armies or Army Group V Zangen, outside these limits the Supreme Head of the SS and Police Italy assumes responsibility. In this connection he is to be in close contact with the G.O.C. in C. South West/General i/c Pioneers.

6. So far as security of essential installations is concerned (Power Stations, Pumping Stations, Industrial undertakings etc.) G.O.C. Tech. Troops and the Staffs R.u.K. is to have liaison directly with the Supreme Head of the SS and Police Italy or the Armies or Army Group V Zangen.

7. To further security of the Appenines the Armies are to post, commencing forthwith, reinforced units, Field units, road blocks, etc. in accordance with operational instructions "Alarich". These are to be located along the main passes and principal lines of reinforcement.

8. The Supreme Head of the SS and Police Italy is requested to submit by 25th June to G.O.C. in C South-West, a map (scale 1:500,000) with markings showing location of his security sectors, security troops, local security sectors, Local Commandants (Operations against Partisans) etc.

Signed: Kesselring
G.O.C. in C. SOUTH-WEST
Ia T. No. 0402/44 MOST SECRET

(Signed) [?]
Oberstleutnant.

"C".

COPY

TOP SECRET.

KR WAAJ/C 00104/06 1/7 1210
To: Leitkommandantur, Bologna.
SUBJECT: Combatting of Partisans.
SOURCE: Telepring Ia Nr. 12099/44 SECRET
(After receipt to be treated as Top Secret) from 20. 6. 44.

In my appeal to the Italians I announced that severe measures are to be taken against the Partisans. This announcement must not represent an empty threat. It is the duty of all troops and police in my command to adopt the severest measures. Every act of violence committed by partisans must be punished immediately. Reports submitted must also give details of counter measures taken. Wherever there is evidence of considerable numbers of partisans groups, a proportion of the male population of the area will be arrested and in the event of an act of violence being committed, these men will be shot. The population must be informed of this. Should troops etc. be fired at from any village, the village will be burnt down. Perpetrators or the ring leaders will be hanged in public. Nearby villages to be held responsible for any sabotage to cables and damage inflicted to tyres. The most effective counter measure is to recruit local patrols. Members of the Fascist party will not be included in any of the reprisals. Suspects will be handed over to the prefects and a report sent to me. Every soldier will protect himself outside villages by carrying a fire-arm. District Commanders will decide in which towns it will also be necessary to carry fire arms. Every type of plunder is forbidden and will be punished severely. All counter measures must be hard but just. The dignity of the German soldier demands it.

—KESSELRING—
Bologna, 14. 7. 44.

Platzkommandantur 11/1012
Abt. Ia Prov. 83/44 g. Kdos.
to all Ortskommandanturen.

Above mentioned copy is sent for acknowledgement.
Platzkommandant,
Tschurtschenthaler.

UK–66

"D"

TRANSLATION.

AREA HEADQUARTERS
COVOLO.

The Commander of the district of Covolo announces the following:

For every member of the German Armed Forces, whether military or civilian, who is wounded, *Fifty* men, taken from the place where the deed was committed, will be shot.

For every soldier or civilian killed, *One Hundred* men also taken from the locality of the crime, will be shot.

In the event of more than one soldier or civilian being killed or wounded, All the Men of the District Will Be Shot, the Houses Set On Fire, the Women Interned and the Cattle Confiscated, Immediately.

THE COMMANDER
Cap DENDA.

Covolo.
11. Jul. 44.

TRANSLATION OF DOCUMENT UK–81

SECRET

12th Infantry Division, Int. Sec. No. 607/41 Secret
Int 54/816/41 Secr.
Received 27th November, 1941.
Div. H.Q. 26th Nov. 1941

Subject: Protection of troops against Partisans and Sabotage.
To: The General Command of H.Q. 2nd Army Corps—Ic.

Enclosed the divisional intelligence section sends a secret order dated 17th November, 1941 concerning combatting of partisans. For information.

For Div. H.Q.

Chief of the General Staff

(Signed) WEISER [?]
Adj.

1 enclosure.

SECRET

12th Infantry Division, Section Ic/Ia/Adj. No. 607/41 sch.
Div. H.Q. 17th Nov., 1941

Subject: Protection of Troops against Partisans and Sabotage.
Reference: C.-i-C. Army—Gen. Staff of the Army. "Ausb." section (Ia) No. 1900/41 dated 25th October, 1941.

I. The conduct of the troops in the Eastern territories (see enclosure: secret order by Field Marshal v. Reichenau, dated 10th October, 1941)

II. Herewith *enclosure 1,* a blueprint of a captured map 1:100.000 Sheet no. 0–36–XI (West) Demjansk (the original was *not* sent to H.Q. 2nd Army Corps)

This print contains the defense areas allotted to regiments and independent detachments of the Division.

The Commanders of the units in question are *responsible* for the carrying and of the cleaning up of partisans in these areas and their permanent control. They regulate the employment of troops at their disposal in the area. In case of the appearance of partisans, Ic and *neighbour* will be notified. The antitank company in Igoghewo and 12 Detachment of the field military police —excluding the squad attached to the Adjutant—will be at the disposal of Quartermaster Section in their area.

2. The surrounding area of Villages, paths and roads will be kept under control also at night by patrols and occasional snap controls.

3. The Commanders will consider the employment of local commanders in the occupied villages and will submit their names to the division.

In all places of their defense area even when not occupied, after scrutinizing the local conditions, village elders [natschalniks] will be installed, if this has not yet been done. The notifications handed out by the Ic Section of the division will be hung up even in places which are not occupied. The exhibition of these notifications must be constantly checked.

4. The village-elders will be directed to compile lists of the population in which all strangers—with the date of their arrival —will be shown particularly. The houses of every place are to be numbered in an easily visible manner, and the number of their inhabitants to be listed with special columns for men, women and children. Check through snap roll calls. *Strangers* will be reported to the competent Command by the village elders. Collective punitive measures will be carried out immediately for non-

compliance with these orders (in serious cases the shooting of the responsible inhabitants, in lighter cases their arrest and the confiscation of foodstuff, etc.) For this the order of a Commander (C.O. BN) is necessary.

5. The traveling of Russians—men, women or children—on roads will be stopped. The leaving of villages is allowed only in exceptional cases (of economic nature) with the written approval of the Garrison Commander. Such permits must bear the date of the day, the route to be covered and place to be visited. The validity of the pass will on principle be not longer than *one day.* A record of issued permits is to be kept. The permits will be returned on the day of expiration. Threat of penalties for the non-returning of permits! All persons found on the high roads without a permit will be arrested. Every soldier has the duty of arresting civilians. *Caution when approaching.* Every suspected civilian in the battle area will be ruthlessly shot.

6. Civilians living in dug-outs in the woods will be accommodated in inhabited localities or in certain cases in dugouts in the immediate vicinity of inhabited localities.

7. The following will be shot as partisans: Russian soldiers in uniform and mufti who did not report to the nearest garrison command or to the military authorities by 20.11. and those civilians who are found on the high roads without a permit and who do not belong to the nearest village.

Apart from that, those civilians found in possession of arms of any kind or explosives.

8. The population is to be encouraged to cooperate—by rewards. (See special orders concerning supplies No. 60 dated 30 August 1941.)

9. The shooting or hanging of partisans and such elements who support partisans and who are in possession of arms will take place in the locality where they have been encountered. If possible, persons concerned should be interrogated first—about their organization and leaders.
Special distribution 39.

Appendix to 12 Inf.Div. I.c/Adj. No. 607/41 Secret date 17.11. 1941.

Copy of a Copy

High Command of the Army Gen. Staff of the Army/Quarter Master General Branch Admin.
(Qu.4/B) II. 7498/41 g.

H.Qu. High Command of the Army
28.10.41.

SECRET!

Subject: Conduct of Troops in the Eastern Territories

By order of the C.in.C. Army, an enclosed copy of an order by GOC 6th Army on the conduct of the Troops in eastern territories which has been described by the Fuehrer as excellent, is being forwarded with the request to issue corresponding instructions on the same lines if this has not already been done.

By order.

(Signed) Wagner

SECRET!

Army H.Q., 10.10.41

Army Command 6., Sec. Ia—A.7

Subject: Conduct of Troops in Eastern Territories.

Regarding the conduct of troops towards the bolshevistic system, vague ideas are still prevalent in many cases. The most essential aim of war against the Jewish-bolshevistic system is a complete destruction of their means of power and the elimination of asiatic influence from the European culture. In this connection the troops are facing tasks which exceed the onesided routine of soldiering. The soldier in the eastern territories is not merely a fighter according to the rules of the art of war but also a bearer of ruthless national ideology and the avenger of bestialities which have been inflicted upon German and racially related nations.

Therefore the soldier must have full understanding for the necessity of a severe but just revenge on subhuman Jewry. The Army has to aim at another purpose, i.e., the annihilation of revolts in hinterland which, as experience proves, have always been caused by Jews.

The combating of the enemy behind the front line is still not being taken seriously enough. Treacherous, cruel partisans and unnatural women are still being made prisoners of war and guerilla fighters dressed partly in uniforms or plain clothes and vagabonds are still being treated as proper soldiers, and sent to prisoner of war camps. In fact, captured Russian officers talk even mockingly about Soviet agents moving openly about the roads and very often eating at German field kitchens. Such an attitude of the troops can only be explained by complete thoughtlessness, so it is now high time for the commanders to clarify the meaning of the present struggle.

The feeding of the natives and of prisoners of war who are not working for the Armed Forces from Army kitchens is an equally misunderstood humanitarian act as is the giving of cigarettes and bread. Things which the people at home can spare under great sacrifices and things which are being brought by the Command to the front under great difficulties, should not be given to the enemy by the soldier not even if they originate from booty. It is an important part of our supply.

When retreating the Soviets have often set buildings on fire. The troops should be interested in extinguishing of fires only as far as it is necessary to secure sufficient numbers of billets. Otherwise the disappearance of symbols of the former bolshevistic rule even in the form of buildings is part of the struggle of destruction. Neither historic nor artistic considerations are of any importance in the eastern territories. The command issues the necessary directives for the securing of raw materials and plants, essential for war economy. The complete disarming of the civil population in the rear of the fighting troops is imperative considering the long and vulnerable lines of communications. Where possible, captured weapons and ammunition should be stored and guarded. Should this be impossible because of the situation of the battle so the weapons and ammunition will be rendered useless. If isolated partisans are found using firearm in the rear of the army drastic measures are to be taken. These measures will be extended to that part of the male population who were in a position to hinder or report the attacks. The indifference of numerous apparently anti-soviet elements which originates from a "wait and see" attitude, must give way to a clear decision for active collaboration. If not, no one can complain about being judged and treated a member of the Soviet System.

The fear of the German counter-measures must be stronger than the threats of the wandering bolshevistic remnants. Being far from all political considerations of the future the soldier has to fulfill two tasks:

1. *Complete annihilation of the false bolshevistic doctrine of the Soviet State and its armed forces.*

2. *The pitiless extermination of foreign treachery and cruelty and thus the protection of the lives of military personnel in Russia.*

This is the only way to fulfil our historic task to liberate the German people once forever from the Asiatic-Jewish danger.

Commander in Chief
(Signed) von Reichenau
Field Marshal.

Certified Copy:
[signature illegible]
Captain.

COPY OF AFFIDAVIT A

[This affidavit is substantially the same as the testimony given by Lahousen on direct examination before the International Military Tribunal at Nurnberg, 30 November and 1 December 1945.]

AFFIDAVIT

I, ERWIN LAHOUSEN, being first duly sworn according to law, upon my oath do depose and say:

1. I was a major general in the German Army when the war ended, at which time I surrendered myself to the American Army in Liezen, Austria on 14 May 1945. I served as a professional soldier in the Austrian Army from 1915 until the time of the Austrian Anschluss in 1938. At the time of the Anschluss, I was a lieutenant colonel in the Austrian Army assigned to duty with the Austrian General Staff. I was the first officer of the Federal Austrian Army to receive the training of an intelligence officer. I received that training in order to organize the military intelligence section in the department of National Defense.

In this position in the Austrian intelligence service, I was the responsible expert for the collaboration between the Austrian and German Army Intelligence Services. This was particularly directed against Czechoslovakia and our interests ran parallel in this matter.

After the Anschluss, I was automatically taken over into the German Army. From my position in the department of National Defense, I was taken over into the OKW and was assigned to the Abwehr. I fulfilled the same duties in my new assignment, namely that of an officer of the purely military intelligence service. I served in this position from March 1938 until June 1943.

My initial duties there were concerned with intelligence work pertaining to proposed action by Germany against Czechoslovakia.

From approximately June 1938 to June 1943, I served as one of the section chiefs under Admiral Canaris and thus, also sometimes as his personal representative, as he was my immediate superior. In this capacity I came into frequent contact with Fieldmarshal Keitel, sometimes Jodl, and upon occasion with the Fuehrer as also with other leading representatives of the Wehrmacht.

During all of the time herein mentioned, I was a member of a small resistance group which was not only opposed to Hitler's program of aggressive warfare and his methods and other activities in which the Wehrmacht became engaged, but took active steps to prevent the execution of this program. Among the members of the group were the following:

Admiral Canaris—Chief of the Bureau of Foreign Abwehr (Intelligence)
General Oster—Chief of the Central Division of the Bureau of Foreign Abwehr (Intelligence)
Colonel Hansen—General Staff—Abwehr Section 1
General Lahousen—Chief of Abwehr Section 2 (Commando Activity)
Colonel Freytag Leringhoffen—Chief of Abwehr Section 2 (successor to Lahousen)
Lt. Colonel Grosekurth—General Staff—Chief of Abwehr Section 2 (predecessor of Lahousen)
Colonel Fieckenbrock—General Staff—Chief of Abwehr Section 1 (Information Section)
Colonel Hentivigni—Chief of Abwehr Section 3 (Counter Intelligence)
He was responsible for liaison with the RSHA and thus with the SD, the SS, et al.

In order to understand the manner in which this group operated, it is necessary to understand the nature of Canaris' relationship to the Fuehrer, to Keitel with whom he was in almost continuous contact, and Jodl with whom he was in occasional contact. Canaris was a pronounced intellectual of strong religious convictions and a certain tendency towards the world of the abstract. As a humanitarian and citizen of the world, he had always opposed the Nazi regime in its more brutal and inhumane manifestations. He was opposed to all brutal and forceful measures such as the policy of aggressive warfare and to an application of absolute power as practiced by Hitler and his close associates. He felt that Hitler's program of aggressive war was a mistake and could only result in catastrophe for Germany and the rest of the world. With this deep-seated conviction, Canaris, from the outbreak of hostilities urged the members of our group to do everything in our power behind the scenes to moderate and prevent the consummation of various aspects of Hitler's program. This was done by our group throughout the war.

Canaris and Oster, along with others, were executed on the 9th of April 1945, according to the best information available to me, and thus I am the only one of the inner circle to be alive today unless my information is wrong. Canaris constantly used his intelligence channels to oppose ultimate victory of the Nazi system and in his dealings with nonbelligerent nations he always worked through anti-Nazi channels.

2. I learned from an official report made to Canaris by a Colonel Rowahl, leader of a so-called special purpose squadron, that early in 1939 or possibly even in 1938 the German air force was conducting aerial reconnaissance of London and Leningrad. This strategic aerial reconnaissance was made from great height and was kept absolutely secret. Only few people had access to this information and it was only by accident that I learned about it as a section chief under Canaris. In the year 1939, this special purpose squadron, under Colonel Rowahl, operated out of Hungary and I was personally present when members of this squadron received Hungarian decorations, which were presented to them in civilian clothes, by the then chief of the General Staff of the Hungarian Army, General Werth. This squadron also made strategic aerial reconnaissance flights from Hungarian bases probably into Poland, the Balkans, and into Southern Russia. Access to these areas was easier from Hungary than from German controlled areas.

3. During the course of the Polish campaign on 12 September 1939, and just prior to the fall of Warsaw, I attended a conference in the Fuehrer's train at which were present Canaris, Keitel and Ribbentrop. After greeting us, Ribbentrop went on to discuss his views about possible methods to solve the Polish question.

Keitel went on to discuss these possibilities in detail and differentiated between various possibilities for a solution of the Polish problem. A variation of one possibility under discussion included an order from Keitel to Canaris for the organization of an uprising in the Galician Ukraine which should have as its aim the extermination of Poles and Jews.

Canaris informed Keitel that he possessed information that extensive shootings had been planned in Poland with the aim to exterminate the aristocracy and the clergy, along with the Poles and Jews. Canaris went on to say that in the final analysis the world would hold the Wehrmacht responsible for this.

Keitel replied that this matter had already been decided on by the Fuehrer, who had determined that Poland would and must surrender unconditionally, and who had told the Supreme Commander of the Army that if the army did not want to have anything to do with this, then they would have to let the SS and Gestapo work alongside of them. Keitel continued to say that each military district would have a civil governor along with a military governor. The civil governors would be held responsible for "the extermination of the people" (Volkstuemliche Ausrettung) and the "political house-cleaning" (politische Flurbereinigung).

Canaris then mentioned the detrimental effect on foreign policy the planned bombardment of Warsaw would cause.

Keitel replied that these things had all been agreed upon between the Fuehrer and Goering directly.

At this point Hitler and Jodl entered Keitel's study and asked Canaris for the latest information from the West. Canaris fallaciously reported that there were conclusive signs that the French were preparing a major attack in the area of Saarbrucken. Hitler, however, refused to accept this view, and stated that he did not believe that the French could attack, to which Keitel and Jodl agreed.

4. Some time prior to the start of the Polish campaign, the Abwehr office was ordered to deliver a number of Polish uniforms, Polish army equipment, forged papers, and other articles to the SD, which it did. After the beginning of the Polish campaign, it became known officially that the broadcasting station of Cattovice had been seized. This was propagandized as the incident leading to hostilities with Poland. This was an incident which had been deliberately engineered and directed by the SD and it was executed by prisoners from concentration camps dressed up in Polish uniforms, and using Polish weapons and equipment. These prisoners were later murdered by the SD in order to eliminate any possibility of their giving testimony about

the incident. Immediately after receiving information of this incident, Canaris stated to me that it was now apparent to what use the uniforms and equipment which had been furnished to the SD had been put.

I learned through official channels that the incident had been deliberately staged and executed by the SD as set forth above and this was later admitted to me by a member of the SS, a man by the name of Birkel.

Through the discharge of my duties in preparation for the Polish campaign and from other official information I received, I am convinced that the invasion of Poland and all action there constituted a war of aggression in its most naked and brutal form.

In November, 1940 I attended a staff meeting in Canaris' office at which were present Canaris, Buerkner, Oster and Bentivigni, and others whose names I have forgotten. At this meeting Canaris stated that he had received an oral order from Keitel to kill General Weygand and pointing to me he said, that I would be responsible for the execution of this order. Canaris stated that the reason given by Keitel for this order was that Weygand, then in North Africa, was open to suspicion because he was working against Vichy, and it was feared that resistance of the unbeaten French colonial army might crystallize in him. I immediately stated in the presence of those attending the meeting that I was a soldier and not a murderer and consequently that I refused to carry out the order. Canaris told me to calm down and that he would speak to me about the matter later. After the meeting Canaris again urged me to calm down, and stated that the order would not be transmitted further by him, and that he himself would see Keitel and report falsely that the matter was being worked on. Subsequently, both Canaris and I reassured Keitel that the matter was being worked on but in point of fact nothing was ever done by either of us. According to my own diary I was asked by Keitel on the occasion of making a report about progress in the affair Weygand. This was on 23 December 1940.

6. On or about 17 July, 1941, I attended a conference at which the following were present: General Reinecke, Chief of the General Office of the Armed Forces; Obergruppenfuehrer Mueller of the SD, representing the main office of Reich Security; Colonel Breuer, representing the office in charge of prisoners of war and myself. Reinecke acted as chairman. The purpose of this conference was to discuss the whole complex of questions concern-

ing the treatment of Russian prisoners of war. I attended the conference as the representative of Admiral Canaris, who had asked me to attend in his stead because of his strong antipathy for General Reinecke. The orders under discussion, some of which had already been issued, and some of which had been merely proposed, were those providing for the killing of all Russian prisoners of war who were regarded as contaminated by Bolshevism. The basis of these orders was that the soldier of the Red Army must be regarded as an ideological enemy of National Socialism and thus not to be treated like soldiers of other nations. As such he was not to receive any quarter. Several of the leading generals had refused to transmit or execute these orders and Canaris had instructed me to effect a withdrawal or moderation of those orders by the use of rational arguments which were to point out the stupidity of carrying out such orders. Canaris had cautioned me to base my arguments on an appeal to reason or to the rational judgment of those present, rather than on humanitarian grounds. Canaris stated that mention of the customs of international law or the niceties of human behavior would have been merely futile and might have caused the disappearance of Canaris and myself. Therefore, although both Canaris and I were convinced that the orders under discussion were merely the expression of senseless murder and brutality, I argued with those present the undesirable effects which these orders were having on other prisoners of war, whose surrender they were stopping. Furthermore, I mentioned that these orders were detrimental to the morale of the German troops because they witnessed those executions which were contradictory to their feelings. I also emphasized that these orders had a demoralizing effect on agents working for the Abwehr office and that these orders were in direct violation of all principles of International law and I made known the fact that a protest in writing concerning this had been submitted by Admiral Buerkner's section.

My views were not accepted by any of those present at the meeting and the only result of my arguments was that Ob. Gru Fue Mueller said that if the German troops were disgusted with these killings they would thereafter take place outside of the camp and out of sight of our troops. An order to this effect was issued shortly after.

The special purpose commands of the SD decided whether a particular Russian prisoner of war had Bolshevist background or not and thus they decided who was to be executed. The decision was entirely arbitrary and left in the hands of whomsoever was in charge of the detail. The sorting of prisoners of war which of necessity preceded the executions was carried out according to purely personal and individual desires. I know through official channels that hundreds of thousands of Russian prisoners of war were executed in accordance with these orders. I also learned from General Reinecke at the conference that Stalag guards had been equipped with whips and heavy sticks with which they were to discipline prisoners and he defended this as absolutely necessary. I also learned from Admiral Canaris that orders had been issued for the branding of Russian prisoners of war. The phrase "special treatment", as used in the terminology of the SD, signified "condemned to death". The carrying out of such orders, previous to the Russian campaign, had been the responsibility of organizations under the jurisdiction of the RSHA, such as the SD, the SIPO. At the time of the Russian campaign, however, the Wehrmacht, and thus the officers of the Wehrmacht became for the first time directly involved in the application of such orders and thus share the responsibility for their enforcement. It was the desire of Himmler, Heydrich, and their associates that the Wehrmacht should no longer "wear a white vest without spots", so to speak, and leave the execution of these orders to the SS and the SD, but that it must become directly involved in such atrocities which it did in fact.

I learned through official channels and therefore know that during the Russian campaign it was the original intention of the General Staff to bring Russian prisoners of war back into German territory and that preparations had been made for an early movement to the rear of these enormous masses of prisoners. I also learned through official channels that orders were issued changing these plans so that none of these prisoners could be brought back to Germany on the alleged ground that to do so would result in Bolshevist contamination. As a result thousands of these prisoners were left and subsequently all of them were either killed or died from starvation and disease. I also learned that cannibalism resulted on a large scale.

I learned through official channels and therefore know that Wehrmacht guards guarding Russian prisoners of war had strict orders to shoot in case anything improper happened and to do so without previous warning.

I learned through official channels and therefore know, that the execution of orders such as those for the mistreatment of the Russian prisoners of war were the responsibility of the SS, the SD, and various other police organizations. A high ranking dignitary of these organizations was attached to such army group for this purpose. However, stalags were operated by the Wehrmacht, and by tolerating the activities of the organizations of the Reich Security Main Office in such camps, they necessarily share in the responsibility for the measures carried out in such camps.

7. On numerous occasions in connection with the discharge of my duties, I took occasion, on Canaris' behalf, to register protest against the orders directing the killing of British commandos. I based these protests, not only upon the adverse effect of such killings on the soldiers of the so-called Brandenburg Regiment, but also on the ground that the orders were contrary to international law, as well as the Hague and Geneva Conventions. I also know that similar protests were made by the office of Admiral Buerkner. I also know that similar protests were made orally and in writing to General Keitel. I further recall that a second protest was made by me on Canaris' behalf after a certain number of such executions had taken place, and also regarding the branding of Russian prisoners of war.

I know from official channels that an order for the assassination of Giraud was given by Keitel to Canaris after Giraud's escape and before the death of Heydrich. According to the entries in my diary, Keitel on the 9th of July 1942 inquired from me as to the progress in the affair Giraud, at the occasion of a report which Canaris was making to Keitel in my presence. In compliance with instructions from Canaris I gave a non-committal answer.

On 4 August 1942 Canaris stated in the presence of the three section chiefs, Colonels Fieckenbrock, Lahousen and von Bentivigny, that Keitel was constantly nagging him about the affair "Gustav" (which was the code word for the assassination of Giraud). The three section chiefs unanimously refused to have anything to do with this project, which was to be carried out by methods commonly employed by the SD. Fieckenbrock made the remark that Keitel should be told to inform Hitler that the military Counter Intelligence service was no murder organization. Canaris left the room and went to see Keitel immediately. He returned after about half an hour and said that he had succeeded in getting the entire affair transferred to the RSHA, and that he would discuss it with them, and that thus the Abwehr would be absolved from any further responsibility in the matter.

About six weeks later, on 25 September 1942, according to my notes, Keitel telephoned to me at my home, and I remember his exact words because of the importance of the call, since a telephone call from Keitel was something that did not happen every day. He asked, "What is happening about Gustav?". I replied that I had no information of this matter because Canaris had taken personal charge of it and was in Paris at the present time. He went on to say, "You know about that, don't you?" and went on to explain that Gustav was the code word for the affair Giraud. Keitel then directed me to go to the RSHA and to speak to Obergruppenfuehrer Mueller, one of Himmler's associates, in order to find out what the present status of the matter was. Knowing that Canaris had never transmitted Keitel's order to the SD and that any conversation with Mueller pursuant to Keitel's order would inform him of the matter and that this would upset our whole scheme of obstructing the execution of that order, and moreover cause trouble for Canaris, I immediately went to General Oster, who was familiar with the entire matter to seek advice on what to do. General Oster advised me to fly immediately to Paris and to discuss with Canaris personally the matter. This I did and found Canaris dining in a hotel with Vice-Admiral Buerkner. I related the events to Canaris in the presence of Buerkner, and at first Canaris was depressed. A few moments later, however, and before the meal was finished, Canaris suddenly interrupted the conversation to ask me as to the exact date of the then recent assassination of Heydrich and also as to the date of the CIC convention in Prague to which, for official reasons and reasons of outward appearance, he had invited Heydrich. As soon as I had given him the dates and he had a moment to consider, he suddenly relaxed and looked relieved and asked me whether I did not understand that there was an easy solution. I did not understand at the time, but on the next day Canaris flew from Paris to Berlin and reported to Keitel that he had furnished all the necessary information and data bearing on the affair Giraud to Heydrich on the day of the conference in Prague. Canaris further advised Keitel that Heydrich had said he would not use his ordinary SD men for this mission but a special detail whose names he did not know. Thus Canaris succeeded in giving Keitel the impression that everything had been satisfactorily arranged but without leaving any means for Keitel to ascertain that he had never actually transmitted the order. In this way Canaris succeeded in preventing the execution of the order for the killing of Giraud.

Before leaving for Paris I had asked Oster to tell Keitel that it had been impossible to find Mueller in Berlin and that I had decided to fly to Paris to get in touch with Canaris, in case Keitel made any further inquiries.

From official information which was available to me I regard the action taken by Germany against Austria as an act of aggression, at least in its execution, with the reservation that the Austrian people did not resist this action.

From official information which was available to me I regard the action taken by Germany against Czechoslovakia as an act of aggression.

From official information which was available to me I regard the action taken by Germany against Denmark and Norway as acts of aggressive warfare in their execution and purpose.

From official information which was available to me I regard the action taken by Germany against France as an act of aggressive warfare with the qualification that a state of war had already existed between Germany and France several months prior to the invasion of that country.

From official information which was available to me I regard the action taken by Germany against Belgium, Holland and Luxembourg as acts of aggressive warfare in its most naked form.

From official information which was available to me I regard the action taken by Germany against the Balkan countries, Greece and Crete as acts of aggressive warfare in its most naked form.

The matters set forth above are confirmed in most of their details by entries in the diary of Admiral Canaris, by notes which I made for my own use, and by various other documents which I had sent away for safekeeping to Austria.

I declare herewith that the above statements are given under oath and are true to the best of my knowledge and belief, and that they have been made voluntarily and without coercion.

[signed] Erwin Lahousen.

Sworn to and signed before me on 21st January 1946 in Nurnberg, Germany.

[signed] Smith W. Brookhart, Jr., Lt. Col. IGD.

COPY OF AFFIDAVIT B

[This affidavit is substantially the same as the testimony given
by Ohlendorf on direct examination before the
International Military Tribunal at Nurnberg,
3 January 1946.]

AFFIDAVIT

I, Otto Ohlendorf, being duly sworn, declare:

I

1. I joined the NSDAP in 1925 and became a member under

No. 6531. After training in jurisprudence and economics, in 1936 I became Economical Counsellor (Wirtschaftsreferent) in the Sicherheitsdienst des RF SS (SD) and was attached to SS as Hauptsturmfuehrer. From 1939 to 1945 I was Chief of AMT III SD Inland, (part time) of the Reichsicherheitshauptamt. My main position in the years 1938–1943 was responsible operating head of the Reichs Group Commerce. From 1943 to 1945 I was Ministerial Direktor and permanent representative of the State Secretary in the Reich Ministry of Economics. (See Appendix A).

2. The SD and Gestapo were departments in the main department of the Chief of the Security Police and SD (RSHA). Heydrich was the first chief of RSHA and served until his death in June 1942. In the interval between Heydrich's death and Kaltenbrunner's assumption of office, Himmler himself took over the direction of RSHA. Kaltenbrunner became Chief of the Security Police and SD (RSHA) on 30 January 1943 and served to 8 May 1945.

3. SD was an organ of the SS and as such a part of the Party organization. SD was subordinated to Himmler as Reichsleader SS and not as Chief of the German Police. The vast majority of the members of the main department of SD belonged to the SS.

4. The Gestapo was founded in Prussia in year 1933. It was subordinated to Goering in his capacity as Prussian Prime Minister and Minister of Interior. The Gestapo was a State Agency. The majority of the officials, but not all officials, of the Gestapo belonged to the SS. The police, including the Security Police, were not part of the SS and were not subordinated to Himmler as Reichsleader SS but were subordinated to Himmler as Chief of the German Police.

II

5. Ernst Kaltenbrunner was known in the Party and State as the successor of Heydrich. I never learned of any regulation or directive according to which the Chief of the Security Police and the SD, Ernst Kaltenbrunner, was legally limited in his authority over the departments after taking office. I know, however, that for a number of matters concerning the State Police and Foreign Intelligence Service, Himmler in reality had reserved to himself the final decision, for example, in cases regarding final internment into and release from concentration camps. On the other hand, the normal procedure of effecting protective custody arrests was accomplished through AMT IV (Mueller) under the responsibility of the Chief of the Security Police and SD (Kaltenbrunner). So far as I know, Kaltenbrunner has never stated to

the Chiefs of the AMTs that he in his position as Chief of the Security Police and SD had been legally limited after taking over office.

6. It was the standard operating procedure in RSHA that all important matters emanating from the departments were presented to the Chief of the RSHA for information and approval. The Chiefs of the AMTs were further obliged to inform Kaltenbrunner whenever they dealt directly with Himmler. The regular channels of the departments to Reichsfuehrer SS were as well by way of the Chief of the Security Police and SD. The regular channels from the departments of the RSHA were through the Chief of the RSHA (Kaltenbrunner) to Reichsfuehrer SS (Himmler). I know that both the Chief of Department IV (Mueller) and the Chief of AMT VI (Schellenberg) repeatedly were in direct contact with Himmler. I cannot state whether Kaltenbrunner was informed of the matters dealt with in these direct contacts in every instance.

7. As Chief of the Security Police and SD, Kaltenbrunner must have been informed of the program for final solution of the Jewish problem. He must have known that the Reichsfuehrer SS assumed the responsibility for the solution of this question. Chief of Department IV (Mueller) and Kaltenbrunner had a conversation in my presence, for instance, over the Theresienstadt problem which lead me to this conclusion. Kaltenbrunner knew also that the Commandos of the Security Police and of the SD were active in this program; also that the Security Police sent Jews to the Concentration Camps in connection with the final solution of the Jewish problem.

III

8. A few weeks before the beginning of the Russian campaign an agreement was reached between the OKW, OKH and the Chief of the Security Police and SD (Heydrich) according to which integral units of the Security Police and the SD were attached to the Army Groups and the units subordinated to them. The official title of the Chief of the units of the Security Police and SD was Beuftragter (Commissioner and Deputy of the Security Police and SD) of the Chief of the Security Police and SD, attached to, for example, Army Group "X". The unit was called "Einsatz Group" and was subdivided into Einsatz Commandos and Special Commandos. The Special Commandos were in turn subdivided as the need arose into small units. According to the agreement, the professional work of the Security Police and the SD was basically under the jurisdiction of the Chief of the Security Police and the

SD. The Army Groups and the units subordinate to them respectively were in charge of "Marsch" and foods supply. The order for the "Marsch" controls area and place into which the Einsatz Group or the Commandos had to move, the strength of the Commandos, and the time when the Commandos were to move into any area or place, and the length of stay. The Army Groups or the units subordinate to them respectively assigned additional tasks to the Einsatz Groups and their subsections. A precise line of demarkation was not fixed as between the directives by the Chief of the Security Police and SD and the right to issue directives of the Army Groups and the units subordinate to them respectively. The Army therefore issued directives covering the most varied spheres, for instance, the Army entrusted the units of the Einsatz Groups with gathering the harvest in Transsinistria, the units were called upon to perform guard and control duties at bridges. The units were also used for operational Army tasks. When the first large-scale executions took place the Army in Nikolajev ordered that liquidations were not to be carried out within 200 Km of the site of Army Headquarters. In my capacity as Chief of Einsatz Group D, I was entrusted with the task to recruit Tartars in the Crimea for the Army. The Army intended furthermore to transfer to me the leadership of the operation against the Partisans on the Crimea. Einsatz Group D did not accept this task as I was able to explain to the Army the unsuitability of the Einsatz Group for this task. If, however, the Army had insisted upon this operation on the basis of military necessity, I would have been unable to decline. The liaison between the Einsatz Group and the Army Groups and the Army respectively were effected in general by a liaison chief on the part of the Einsatz Groups. Besides, regular conferences took place with the I C or I C AO's respectively as the main competent parties. The Chiefs of the Einsatz Groups had discussions at intervals with the Chiefs of Staff or the Commanders in Chief of the Army Groups or the Army respectively. In their activities the Chiefs of the Einsatz Groups had to take into consideration that the Commander in Chief of the Army was the supreme legal authority in the operational area (Master over life and death). In individual cases, the Commander in Chief of the 11th Army made use of this authority, for instance, the Army removed the proceedings against a Ukrainian member of the Simferopol City Council from the competent Einsatz Commando of the Security Police and SD in Simferopol, and finished the proceedings under its own jurisdiction.

9. For the Russian campaign, four commissioners of the Chief

of the Security Police and SD were appointed and consequently four Einsatz Groups were established. The Einsatz Group A (Chief, Stahlecker, formerly Inspector of the Security Police and SD, last department head in the foreign office); the Einsatz Group B (Chief, Nebe, Head of the Reich Criminal Police Department, AMT V of the RSHA); Einsatz Group C (Chief, first Rasch or Rasche, last inspector of the Security Police and SD in Koenigsberg, later Thomas, last Commander of the Security Police and the SD in Paris) was attached to the three Army Groups in the East. The Einsatz Group D (Chief, Ohlendorf, later Bierkamp, last inspector of the Security Police and the SD in Hamburg) was attached to the 11th Army, Commander in Chief, first von Schoeber, later von Manstein.

10. The framework of the Einsatz Groups and Einsatz Commandos was formed by members of the Security Police and SD. In addition, the Einsatz Groups were supplied with units from the Order Police and the Waffen SS. The Einsatz Group D consisted of approximately 400 to 500 men and had at its disposal about 170 vehicles. There was courier service and radio communication between the Chief of the Security Police and the SD and the Einsatz Groups.

11. I had about four weeks advance notice of the planned war against Russia through Heydrich. The Einsatz Groups were staged in Pretz, Saxony, and vicinity. After designated leaders of the Einsatz Groups and Einsatz Commandos were gathered at Pretz and were informed of their tasks on the occasion of the presence of the Chief of AMT I of the RSHA, Streckenbach, by order of Heydrich. In the course of conference, the Einsatz Groups and Commandos were given also the task of liquidating in the Russian territories Jewish and Communist functionaries in addition to the regular tasks of the Security Police and the SD. According to a communication from Himmler, the Chiefs of the Army Groups and Armies had been informed by Hitler about this mission and ordered to aid in its accomplishment. When Himmler in the late summer of 1941 spoke to the Commanders and men of the Einsatz Group D and their Commandos in Nikolajev, he repeated this order and added that neither the leaders nor the men who were to execute the liquidation would bear responsibility of their own. Rather, he himself, together with the Fuehrer, would bear the full responsibility for this order and its execution. The Fuehrer was mentioned almost parenthetically, whereas Himmler stressed his own responsibility.

12. The Einsatz Group D marched on or about 21 June 1941 from Duebin, Saxony, to its readiness position at Piatra Neamst,

Rumania, through Hungary. Upon arrival in Piatra Neamst orders by the 11th Army were ready for the departure of the first Special Commandos. In northern and eastern boundary of the Einsatz space of the Einsatz Group D is marked by the following cities: Tschernowitz, Mogilew-Podolsk, Jampol, Ananjew, Nikolajev, Melitopol, Mariopol, Taganrog, Rostov. The space expanded to the south to Odessa over Cherson and included all of Crimea.

13. During the one year while I was Chief of the Einsatz Group D, the Einsatz Commandos and Special Commandos reported to have liquidated 90,000 men, women and children. The vast majority of the liquidated were Jews but there were also some Communist functionaries. It may be that in connection with liquidations in Simferopol, there were also gypsies among the liquidated or members of another tribe who were considered as Jews. The liquidations were executed by the Commandos within the space into which they had moved in accordance with orders given them by the Army. For the preparation of liquidations in cities, leading Jewish inhabitants were as a rule assigned to effect the registration of the Jews. Upon registration the Jews were gathered at a place under the pretext that they were to be resettled in another town. Prior to the liquidations the Jews had to surrender their valuables to the Commandos. Those selected for liquidation were either driven or led to the place of execution. The graves were in general either antitank ditches or natural crevices. In the Einsatz Group D the mass executions took place regularly in the form of shooting by details. The shooting by individuals was forbidden in Einsatz Group D, so that the men who were to perform the executions were not faced with the task of making personal decisions. The persons designated for liquidation were either shot while kneeling or standing upright. Only the head of units or specifically designated persons were permitted to give the coup de grace to those persons who were not killed at once. These directives were issued because I learned from members of Einsatz Groups from other areas that in those areas mass executions were performed by individuals who shot those persons designated for liquidation through the rear of the neck while lying or standing upright. With this method emotional upsets could not be avoided, however, either on the part of the victims or on the part of those who performed the executions. I, therefore, disapproved of this method. Immediately prior to the liquidation the victims had to rid themselves of their outer clothing. The complete undressing, which was partially customary in other areas, was likewise forbidden in Einsatz Group D.

14. Whereas the Army in general did not exert any influence

in the liquidations, the Army had at Simferopol requested acceleration of the liquidations and rendered corresponding assistance in that it furnished trucks. Also, the Army officially did not make available liquidation commandos from its own units, however, almost everywhere individual execution commandos, for example, of the SHD or OT, participated in the executions.

15. While at first the clothes were distributed to the population, in the winter of 1941–42, a delegation of the NSV arrived in Simferopol which took over the clothes of the victims and disposed of them according to their own regulations. The gold and silver which was surrendered, was confiscated for the State and sent to the Reichs Ministry of Finance. Such objects as could be used immediately in the operational area were so used. For instance, in Simferopol watches were requisitioned by the Army and were made accessible through the Army to the combat troops.

16. In spring of 1942 two or three gas vans were sent to the Einsatz Group D by the Chief of the Security Police and SD in Berlin. These vans were furnished by AMT II of the RSHA. The gas vans were not included in the vehicle park of the group, but allocated as a separate unit to Einsatz Group D, under the leadership of Untersturmfuehrer Becker. In regard to the vans, an order existed by the Reichsfuehrer SS to the effect that in the future the killing of women and children was to be effected solely by gas vans. When a sufficient number of victims were rounded up, Commandos requested a gas van. The gas vans were brought to the collecting points before the liquidation took place. The victims were induced to enter the gas vans under the pretext that they were to be relocated. After closing the doors, gas was turned into the van by starting the engine. The victims died in ten to fifteen minutes without being conscious of the process. The commandos made use of the gas vans only reluctantly as they regarded their use an additional emotional burden upon the people who partook in the executions. I estimate that during my presence with Einsatz Group D only a few hundred were killed by means of gas vans.

17. I have been shown the letter (Document is designated OUSCC 501–PS) written by Becker to Rauff, the Head of the Technical Department in AMT II of RSHA, concerning the operations of the gas vans. I knew both of these men personally and I believe it to be an authentic document.

18. I have seen the report of Stahlecker, Chief of Einsatz Group A (Document is designated OUSCC L–180) about the activities of Einsatz Group A. It is stated in this report that Einsatz

Group A during the first four months of the Einsatz action, had killed over 135,000 Jews and Communists. I knew Stahlecker and his way of reporting and, therefore, I am of the opinion that the document is authentic.

The above statement under oath, including Appendix "A", has been dictated, re-read and signed by me voluntarily and without compulsion.

Subscribed and sworn to before me on the 20 November 1945, at Nurnberg, Germany

/s/ Otto Ohlendorf

/s/ S. W. Brookhart, Jr., Lt. Col., IGD

Appendix "A" I. 1.

OTTO OHLENDORF

Political Way

After I joined the NSDAP in May 1925, I participated in all tasks which arose in the young and numerically small Party organization. I was at the same time Ortsgruppenleiter, treasurer and organizer of meetings. I distributed newspapers and leaflets, spoke in discussions at public meetings of other parties and served in the SA. Besides this, I, with three other Party members, were ordered to the SS service in 1926. However, at that time I did not engage in any SS activities because shortly thereafter I left my home town and was removed from the list of the SS. Therefore, I did not receive any SS identity card and learned of my then SS number 880 first in 1936 when, with reference to my early membership in the SS, I was again enrolled in the SS under my old number. Until 1936 I had no connection with the SS. During 1929–31 I spoke independently and on my own initiative at numerous Party meetings of the competent Gau Party Leadership at Hannover. At that time I studied at Goettingen and from there I worked especially in the town and area of Nordheim according to my own plan for the Party. I organized training courses and spoke at numerous evening discussions and public meetings. Despite my activity I remained a simple Party member as I avoided a too close connection with the official Party organs. Because of my own opinion at that time I was already separated from the real and personal ways of a number of the leading Party members.

After my first legal State Examination in 1931, I went to Italy as an exchange student for one year. My reason therefor was to become acquainted with a movement which supposedly was parallel to National Socialism, and which had had ten years of practice and unlimited possibilities to develop. I became acquainted with Fascism in theory and practice. I became thoroughly acquainted with its organization and leading personalities. I arrived at the conclusion that in the case of Fascism, it was not a question of a new conception of people and state which further developed the individualism, but that it was another system of absolute power which was formed around the person of Mussolini. The human beings and people in Fascism had no values in themselves, but were objects of the State and derived their value and recognition from the State as the sole reality. From this fact originated the irreconcilable contrast National Socialism, which is founded on the reality of the value of life in the individual human beings and the people, and, therefore, in contrast to Fascism subordinated the State to the needs of the people. After my return from Italy I stayed away from Party work until the assumption of power. I received no positive answer to the reports on Fascism which I sent to the Party Leadership and wanted first to become oriented on further development of the Party within the Reich. Furthermore, it was my definite resolution to continue my own life independently of the Party. After the assumption of power I, therefore, remained in legal training. At the meetings I mostly spoke on the theme of Fascism and National Socialism in order to point out the dangers which threatened National Socialism by copying the Fascist organizational forms and the insufficient differentiation from the Fascist program.

I considered Fascism the primary opponent of National Socialism. In other European countries there already existed Fascist movements and Fascism conducted a continuous and purposeful propaganda all over Europe. Therefore, I considered the offer of Professor Jens Jessen to become his assistant at the Institute for World Economy at Kiel, to serve my purposes, especially because I could found a section for Fascism and National Socialism and in that way have a good opportunity to fight against the plans of introducing Fascism into National Socialism.

Between 1933 and 1938, I attempted to obtain a total picture of the complete literature in German and Italian which concerned intellectual, cultural, sociological or economical themes, as well as State theories. Both this literature and the National Socialistic policy in practice showed after the assumption of power that the still immature National Socialistic ideology was diverted from the principles of its original world picture.

Theorists, as well as responsible leaders in Party and State, believed that they could conquer temporary difficulties in State and economy, education and culture, only by use of old methods belonging to past stages of civilization. At this time, it was my greatest wish to write an analysis of the spiritual and formative impulses in the National Socialistic work of the present time in order to draw the attention of the leading National Socialist circles and young scientists to the spiritual principles which they used as supposedly National Socialist. However, foreign tendencies became increasingly stronger especially at first in the food economy and later on during the Four Year Plan in the rest of the economy, in communal politics, and in the complete field of science. Therefore, I accepted an offer in 1936, again from Professor Jessen, which gave me the opportunity by means of the SD des Reichsfuehrer's SS to report to the highest leader posts in Party and State and in such way advance my plans based on observation of the theoretical and practical development of people and State.

As many personal and essential matters made this task difficult, I grasped this opportunity to participate in the execution of the original National Socialist principles with special satisfaction. These principles advocated, as the foremost goal of National Socialism, to develop the best characteristics of the people and to form them into a community of equality and to furnish the best possible spiritual and moral existence for the individuals of the people. I undertook the task with heart and soul when I worked in Reich Group Commerce and when I was Ministerial Direktor and permanent deputy of the State Secretary in the Reich Ministry of Economy, I understood together with many others, that a necessary phase within the evolution would be strong controversies with the Party and State. Only against strong opposition of the old spiritual forces could the goal be achieved which would make the welfare and dignity of man the real conception of politics; also to achieve in the economy that man should become basis and decisive subject of the measures of the political economy, this especially because the economy is the most important and preponderant moulder of man's destiny. National Socialism seemed to be the first attempt to find a natural synthesis between the free, intended to be independent man of individualism and the actual bonds life compels on him in the community in which he finds himself. In order to achieve this synthesis, National Socialism ought to signify self consciousness, and the inner freedom of man, from which the laws for the natural order of the people's community could be recognized and accomplished with conviction.

This idea did not, however, find a period of calm in which it could be developed spiritually and in active daily life. The collapse of the National Socialist system in Germany has shown that the forces favoring highly developed human communities were not strong enough to carry through to this goal.

COPY OF AFFIDAVIT C

[This affidavit is substantially the same as the testimony given by Wisliceny on direct examination before the International Military Tribunal at Nurnberg, 3 January 1946.]

AFFIDAVIT

I, Dieter Wisliceny, being duly sworn, declare:

1. I am 34 years old and have been a member of the NSDAP since 1933 and a member of the SS since July 1934. I have been Hauptsturmfuehrer SS since 1940. From 1934 to 1937, I was assigned in Berlin and from 1937 to 1940 in Danzig. From 1940 to September 1944, I was assigned as specialist on Jewish matters in Slovakia and my mission included service in Hungary and Greece. I have known Adolph Eichmann, the former Chief of AMT IV A 4 of the Reichsicherheitshauptamt (RSHA) well since 1934 in which year we joined the Sicherheitsdienst (SD). Our relationship was so close that we addressed each other with the intimate "Du". We served together from 1934 to 1937 in Berlin and maintained friendly relations from 1937 until 1940 when he was in Vienna and I was in Danzig. Eichmann's mission in Vienna was to direct the Central Office for Jewish Emigration and he later came to Berlin with the RSHA to take charge of AMT IV A 4 which was responsible for the solution of the Jewish question and for all church matters. At Eichmann's suggestion, I accepted an assignment as expert for AMT IV A 4 in Slovakia dealing solely with the Jewish question.

2. There were three distinct periods of activity affecting the Jews. The first period covered the time from 1937 when the Jewish Section was founded till 1940, during which the policy was to accelerate and compel Jewish emigration from Germany and Austria. Because of this, the Central Office for Jewish Emigration was founded in Vienna and later on a corresponding institution in Prague. After the victory over France, Madagascar was contemplated, but never used, as a site for the emigration. The second period during 1940 and 1941 covered the concentration of Jews in Poland and eastern territories, in Ghettos

and concentration camps. The last period, from beginning 1942 to October 1944, covered the evacuation of Jews from all Germany and German controlled territories to concentration camps and their biological annihilation.

3. I first became interested in the number of Jews effected by measures taken through the RSHA when I met other specialists on Jewish matters in Eichmann's office in Berlin. It was customary for Eichmann to call the specialists in for a meeting at least once a year, usually in November. Meetings were held in 1940, 1941, 1942 and 1943. I was present at all but the latter meeting. In these meetings each representative reported on conditions in his territory and Eichmann discussed the over-all picture. He particularly stressed total figures and the use of charts which included the number of Jews in different countries, their occupations, their age groups, and statements showing the portion of Jews to the total population of each country. These charts did not include the number of persons effected by evacuation and extermination activities since these figures were kept secret. However, from many discussions with Eichmann and specialists on the Jewish question, I learned the effects of the program of final solution in each of the countries concerned.

4. I was sent to Berlin in July or August 1942 in connection with the status of Jews from Slovakia, which mission is referred to more fully hereinafter. I was talking to Eichmann in his office in Berlin when he said that on written order of Himmler all Jews were to be exterminated. I requested to be shown the order. He took a file from the safe and showed me a top secret document with a red border, indicating immediate action. It was addressed jointly to the Chief of the Security Police and SD and to the Inspector of Concentration Camps. The letter read substantially as follows: "The Fuehrer has decided that the final solution of the Jewish question is to start immediately. I designate the Chief of the Security Police and SD and the Inspector of Concentration Camps as responsible for the execution of this order. The particulars of the program are to be agreed upon by the Chief of the Security Police and SD and the Inspector of Concentration Camps. I am to be informed currently as to the execution of this order". The order was signed by Himmler and was dated some time in April 1942. Eichmann told me that the words "final solution" meant the biological extermination of the Jewish race, but that for the time being able-bodied Jews were to be spared and employed in industry to meet current requirements. I was so much impressed with this

document which gave Eichmann authority to kill millions of people that I said at the time: "May God forbid that our enemies should ever do anything similar to the German people". He replied: "Don't be sentimental—this is a Fuehrer order". I realized at that time that the order was a death warrant for millions of people and that the power to execute this order was in Eichmann's hands subject to approval of Heydrich and later Kaltenbrunner. The program of extermination was already under way and continued until late 1944. There was no change in the program during Kaltenbrunner's administration.

5. After my meeting with Eichmann in July or August 1942, when I first learned of the Hitler order for final solution of the Jewish question by extermination, I became particularly interested in the number of persons effected and at every opportunity made notes on the basis of information from other countries. In 1943, my interest was further accentuated by requests for information from the Joint Distribution Committee and I thereafter took particular pains to collect all information available as to the number of Jews effected in other countries. In Budapest 1944 I conferred with Dr. Rudolph Kastner, representative of the Joint Distribution Committee, and compared with him information on numerous occasions particularly dealing with the total number of Jews effected. I was constantly in touch with Dr. Kastner after May 1944. I last saw him on 30 March 1945, in my apartment in Vienna.

6. On numerous occasions Eichmann told me that Jews had no value except as laborers and that only 20–25 percent were able to work. I was present in Budapest in June or July 1944 at a meeting between Eichmann and Hoess, Commandant of Auschwitz concentration camp, at which they talked specifically about the percentage of Hungarian Jews that would be strong enough for labor. On the basis of transports previously received at Auschwitz and the supply of Jews inspected by him in collection centers, Hoess stated that only 20 or at the most 25 percent of these Hungarian Jews could be used for labor. Hoess said that this percentage also pertained to all Jews transported to Auschwitz from all over German occupied Europe, with the exception of Greek Jews who were of such poor quality that they all had to be eliminated. Among the able-bodied were women and some children over the age of 12 or 13 years. Both Eichmann and Hoess said that all Jews unfit for labor were liquidated.

7. All exterminations of Jews took place in closed camps. The camps at Auschwitz and Maidenek were referred to as extermination camps "A" and "M" respectively. I know that Jews at Auschwitz and other extermination camps were killed with gas, starting at least as early as the spring of 1942. Eichmann said that in the cases of groups from which the able-bodied had already been selected, the remainder were gassed immediately upon their arrival at the concentration camps. In cases, where there was no prior selection, the screening had to take place at the concentration camps before the unfit were gassed. The inspections at concentration camps to determine who was considered able-bodied and who was to be executed were very superficial.

8. Late in 1944, Himmler directed that all executions of Jews were to cease, but Eichmann did not carry out this order until he received a written directive signed by Himmler. Unaccountable thousands of Jews who had been sent to concentration camps died of epidemics and undernourishment, such as in the camps at Flossenbrueck and Sachsenhausen.

9. In appendix A–1, I have prepared a chart of the organization of RSHA in 1944 to show the relative position of AMT IV A 4 and its subsections. In the same exhibit, I have listed the experts on the Jewish problem who served in a capacity similar to my own in other countries. Their names and assignments were:

Hauptsturmfuehrer Dr. Seidl (Theresienstadt)
Hauptsturmfuehrer Wisliceny (Slovakia)
Hauptsturmfuehrer Abromeit (Croatia)
Hauptsturmfuehrer Dannecker (Bulgaria)
Hauptsturmfuehrer Brunner (France)
Obersturmbannfuehrer Krumey (Lodz—later Vienna)
Hauptsturmfuehrer Burger (Theresienstadt—later Athens)

I have also shown members of the staff in Eichmann's office that includes Hauptsturmfuehrer Franz Novak who had charge of all transportation matters concerning all evacuations of Jews and Untersturmfuehrer Hartenberger who was a specialist on individual cases. To my personal knowledge, based on my observations during several years service in the Balkan countries and close association with leaders in these countries who were responsible for actions taken against the Jews, the number of Jews effected were approximately: 66,000 in Slovakia; 60,000 in Greece; 8,000 in Bulgaria; 3,000 in Croatia and 500,000 in Hungary. In Appendix A–III I have set forth details as to their disposition.

10. I consider Eichmann's character and personality important factors in carrying out measures against the Jews. He was personally a cowardly man who went to great pains to protect himself from responsibility. He never made a move without approval from higher authority and was extremely careful to keep files and records establishing the responsibility of Himmler, Heydrich and later Kaltenbrunner. I have examined many of the files in his office and knew his secretary very well and I was particularly impressed with the exactness with which he maintained files and records dealing with all matters in his department. Every move taken by Eichmann in executing measures against the Jews was submitted to Heydrich and later to Kaltenbrunner for approval. I have seen signed duplicate copies of Eichmann's reports to Himmler. These all went through the Chief of RSHA, Heydrich and later Kaltenbrunner, who signed them. Signed duplicate copies of these reports bearing the name of Kaltenbrunner were filed by Eichmann. The regular channel was from Eichmann through Mueller to Kaltenbrunner and to Himmler. Eichmann was very cynical in his attitude toward the Jewish question. He gave no indication of any human feeling toward these people. He was not immoral, he was amoral and completely ice-cold in his attitude. He said to me on the occasion of our last meeting in February 1945, at which time we were discussing our fates upon losing the war: "I laugh when I jump into the grave because of the feeling that I have killed 5,000,000 Jews. That gives me great satisfaction and gratification."

11. According to Eichmann, he knew Kaltenbrunner from Linz and they had been good friends for many years. They were both members of the illegal Nazi Party in Austria and were together in Vienna from 1938 to 1940. I know that their good relations continued to at least February 1945. Eichmann told me more than once that whenever he had any difficulties he took them up with Kaltenbrunner. When Kaltenbrunner was appointed as Chief of the RSHA, Eichmann told me that his standing would be improved in the department because of his close connections with Kaltenbrunner. Their friendship appeared to be very strong because I myself, in February 1945 witnessed a short meeting between Kaltenbrunner and Eichmann. They met in the vestibule of the office house of Eichmann, Kurfuersten Str. 116. Kaltenbrunner greeted Eichmann heartily and asked about the health of Eichmann's father and family in Linz.

12. My mission in Slovakia was to advise the Slovak government on all Jewish questions, I was instructed to establish good

relations with the Slovak government and consider my work as a diplomatic mission. I was assigned for administrative purposes to the German Legation at Bratislava and reported to Minister von Killinger, later to Minister Ludin. Copies of these reports were sent to Eichmann to whom I regularly sent confidential SD reports.

13. In 1941 when I visited the concentration area Sosnowitz where approximately 100,000 Jews were used as slave labor in large factories making uniforms and furniture, I was accompanied by a Slovak mission which was interested in establishing similar concentration labor projects in Slovakia. We found conditions not favorable but bearable. Thereafter two concentration work areas were established in Slovakia at Sered and Novaky where about 4,000 Jews, who had been removed from their individual shops and business and were forced to labor in factories and joiner's workshops. These work centers continued to operate until the insurrection in September 1944.

14. In March and April 1942, 17,000 specially selected Jews were sent to Lubin and Auschwitz, Poland, as construction workers and in May and June 1942, approximately 35,000 members of their families were sent to Auschwitz, at the request of the Slovak government since no provision had been made to support these families. At the request of the Slovak government, I went to Berlin in late July or August 1942, to obtain permission for a Slovak commission to visit these Jews in the area of Lublin. Eichmann speaking of the 35,000 in the second group, told me that such a mission would be impossible and that "The Slovaks won't be able to see their Jews any more because they are no longer alive".

15. In September 1944, there remained about 25,000 Jews in Slovakia. Some of these joined in the insurrection at that time. SS Hauptsturmfuehrer Brunner who had been sent to Slovakia from Paris in August 1944 pursuant to Eichmann's order, had all Jews that could be found arrested and sent to Sered. They were thereafter transported to Auschwitz and executed. I know of no survivors from this evacuation of Jews from Slovakia, although many escaped who had hidden during the rounding up in October 1944.

16. In January 1943, I was ordered by Eichmann to go to Salonika and make arrangements with the military administration to find a final solution for the Jewish problem there. Shortly before my departure from Bratislava I was told to meet Hauptsturmfuehrer Brunner in Vienna. He showed me a "Marsch"

order and told me that he had been given the assignment by Eichmann to arrange all technical matters and that I was to make contacts with the authorities and governmental agencies. We went to Salonika together on 2 February 1944, and conferred with the Chief of the Military Administration, War Administrative Counsellor Dr. Merten from the military command, Area Salonika-Aegeus. Also, the local branch office of the Secret Police and SD, the Criminal Commissioner Paschleben and Consul General Schoenberg. Dr. Merten was the decisive authority and said he wished the Jews in Salonika first be concentrated in certain areas of the city. This was done without difficulty during February-March 1943. At least 80 percent of the Greek Jews were workers, laborers, craftsmen or longshoremen, but a large proportion of them had tuberculosis and had also suffered of epidemics raging in their quarters. The Salonika Jews had lived in Greece since the 15th century when they had fled from the inquisition in Spain. On or about 10 March, Eichmann sent Brunner a message that the compulsory evacuation (Aussiedlung) of Jews was to start at once. Dr. Merten agreed to the action but requested 3,000 male Jewish workers for railroad construction work under the Organization Todt who were later returned in time for inclusion in the last transports. I talked to Eichmann by telephone in Berlin telling him that typhus raged among the Jews but he said his orders for immediate compulsory evacuation would stand.

17. Some few foreign Jews were returned to their home country and about 700 Jews of Spanish nationality were transported in August 1943 to Bergen-Belsen and in December to Spain. These Jews had obtained their Spanish nationality during the last century while Greece was still under Turkish rule.

18. Altogether, 60,000 Jews were collected from Greece and shipped to Auschwitz. I am sure that this figure is approximately correct. I know that twenty-four transports averaging approximately 2,300 human beings each were shipped from Salonika and surroundings between March and May 1943, under the supervision of Hauptsturmfuehrer Brunner and myself, while two transports of about 2,500 each were shipped from Athens in July 1944 under the supervision of Hauptsturmfuehrer Burger. The freight cars used in these transports were furnished by the Military Transport Command. The requests for these cars went from Hauptsturmfuehrer Novak in IV A 4 b to Department Counsellor Stange in the Ministry of Transport, Berlin and thence through channels to the area transport command. Transports used in ef-

fecting the final solution of the Jewish problem commanded a sufficiently high priority to take precedence over other freight movements. All shipments were made on schedule, even in July 1944 when the Germans were evacuating Greece and rail transport needs were critical. Upon the departure of each transport a message was sent to Eichmann in Berlin stating the number of heads sent. I have seen copies of these cables in a folder kept by Brunner and upon completion of the movement of Jews from Northern Greece, Brunner made a summary report to Eichmann. I returned to Bratislava for several weeks and arrived again in Salonika at the end of May 1943 at which time Brunner was preparing the last shipment. The last transport left Salonika two days after my arrival and upon completion of the last shipment, Brunner was transferred to Paris for his new assignment.

19. During the period of collection into designated areas, the Jewish population was compelled to furnish their own subsistence. Upon arrival in the collecting camp, representatives of the Jewish community took over all cash and valuables from the inmates. Altogether, by August 1943, 280,000,000 drachmas had been deposited in the Greek National Bank for such purpose. This amount was appropriated by the German Military Administration. The property left behind, houses, businesses, apartments, movable belongings, etc., were administered by the Greek Governor General of Macedonia under the control of the Military administration.

20. In July 1944, Hoess, Commandant of Auschwitz, told Eichmann in my presence in Budapest that all of the Greek Jews had been exterminated because of their poor quality.

21. In connection with the movement of the German Army into Hungary in March 1944, it was agreed between Hitler and Horthy that the Army should not enter Budapest. No mention was made of the Security Police, however, and an Einsatz Group of about 800 members was secretly organized, under the leadership of Standartenfuehrer, later Oberfuehrer Dr. Geschke. The rank and file of the Einsatz Group consisted of members of the Security Police from all over Germany and occupied Europe, in addition about sixty men from the Waffen SS. Shortly after arrival in Budapest, a further battalion of Waffen SS was assigned to the Einsatz Group for guard purposes. Most of the experts on final solution of the Jewish question in IV A 4 b were organized under the designation "Special Action Commando Eichmann". This Special Commando was directly subordinated to the Chief of the Security Police and SD, Kaltenbrunner. Both the Einsatz Group

and the Special Commando were first activated about 10 March 1944. The personnel were assembled at Mauthausen in Linz, Austria, and moved later into Hungary 19 March 1944. Matters of personnel for the Special Action Commandos were handled by Geschke while all operations were directed by Eichmann personally. The Army had informed higher SS and Police Leader Winckelman as representative of Himmler, and Oberfuehrer Piffrader and Dr. Geschke as representatives of RSHA, of the place and hour of the invasion of Hungary. I had advance knowledge of the action that was to be undertaken although it was kept secret from the rank and file of the group. I had seen Eichmann studying maps of Hungary in advance of the movement. We marched into Budapest on 19 March 1944 ahead of the Army and Eichmann arrived there on 21 March.

22. During the first days after arrival in Budapest, Eichmann, Hunsche and I conferred with Endre and von Baky who were Administrative State Secretary and Political State Secretary respectively of the Ministry of Interior for Hungary. Actions against Jews were discussed in the smallest detail. It was the purpose to start evacuation of Jews as soon as possible. In late March 1944, about 200 Jews prominent in the economical and cultural life of Hungary were taken as hostages on orders of Geschke. Thereafter in accordance with the agreement between Endre and Eichmann, Jews were concentrated in designated larger cities and towns in Karpato-Russia and Siebenbuergen (Transylvania), such actions being undertaken by the Hungarian Gendarmerie under Lt. Colonel Ferenzcy who had the same relative position for the Hungarian Ministry of Interior as I had for Special Action Commando Eichmann in the carrying out of these actions. Eichmann's delegates were sent to each of the larger collecting points.

23. While detailed preparations were being made and actions taken to prepare all Hungarian Jews for evacuation, Dr. Rudolph Kastner of the Joint Distribution Committee gave me 3,000,000 pengoe for Eichmann to induce him to grant a first interview on the Jewish question. This money was carefully counted and taken over by Geschke's treasurer. About 8 or 10 April, a meeting was arranged at the Hotel Majestic in Eichmann's office between Dr. Kastner, Mr. Brand another representative of the Committee, and Eichmann. There followed a series of conversations in which Eichmann was implored to leave Hungarian Jews alone upon an offer to pay any amount to stop further action. Eichmann reported the situation to Himmler who sent Standartenfuehrer Becher to continue negotiations in Budapest. Demand was made

by Becher for payment in trucks and raw materials with the condition that they would not be used against England or America. I was later informed that this proposal was turned down by the Allied countries because there was no assurance that they would not be used against the U.S.S.R. As Eichmann had predicted and wished, the negotiations failed and although Dr. Kastner fought bitterly to obtain some concessions, the planned actions went ahead.

24. I think it quite important to describe the attitude of the Hungarian Government. According to Ferenzcy, the Hungarian Government at first agreed only to concentrate the Jews in certain collecting points. Conditions created by the massing of hundreds of thousands of people in narrow camps were unbearable. The inmates could not be fed or taken care of. Ferenzcy went to Budapest about 20 April 1944, and reported to Endre and von Baky that either the Jews would have to be returned to their homes or removed to other areas. This was Eichmann's hoped for moment. He declared that he would be ready to take over these Jews if the Hungarian government would make a special request. It happened as follows: Ferenczy arrived in Budapest in the morning, reported to von Baky who sent him to Eichmann. Ferenzcy saw Eichmann around noon and received Eichmann's request. At 4 o'clock in the afternoon the Hungarian government had made the demanded request. Eichmann arranged at once in Vienna conference of transport experts for the arrangement of the time table of the evacuation. In this conference, Novak, for the Hungarians Captain Lulay, Ferenzcy's Adjutant, participated and in addition, representatives from the Reich Ministry of Transport were present. I saw copies of the cables which were sent regarding all these matters from Eichmann to the Chief of the Security Police and SD, Kaltenbrunner, reporting the developments; furthermore, a cable to Eichmann's deputy, Sturmbannfuehrer Rolf Guenther requesting him to immediately inform the Inspector of concentration camps, Brigadefuehrer Glicks of the arrival of the Hungarian Jews in Auschwitz and ask him to make all necessary preparations for their reception.

25. The evacuation of Jews from Hungary took place in four stages. First, Karpato-Russia and Northern Transylvania from which area approximately 320,000 were evacuated. The second stage was in Northern Hungary including parts ceded by Slovakia. There were about 42,000 evacuated from this area. The third stage covered Southern Hungary including Szeged from which 46,000 were evacuated. The fourth stage covered Western Hun-

gary and removed about 40,000 Jews. Action in this area started at the end of the first stage and continued during the second in Northern Hungary. A special action took place in Batschka involving about 10,000. The aggregate number in these four stages was approximately 458,000. Only the city of Budapest remained outside the scope of the evacuations. Eichmann and his fellow conspirators, Endre and von Baky, made repeated attempts to carry through actions in Budapest but were prevented by the intervention of Horthy who, through the intermediary of Dr. Kastner and I, was informed of the planned actions.

26. Negotiations between the Joint Distribution Committee and Himmler's representative, Becher, continued during all this time. Fearing that some kind of an agreement would eventually be achieved, Eichmann decided to send about 9,000 Hungarian Jews to Vienna, he called them "Joint Jews" so they could be shown to representatives of the Joint Distribution Committee. It was Krumey who sold the idea to Eichmann. In this connection, Eichmann together with Becher visited Himmler in July. In August 1944, 3,000 additional "Joint Jews" were sent to Bergen-Belsen from where, in December, they were sent to Switzerland.

27. In November and December 1944, about 30,000 Jews were evacuated from Budapest to Austria. A small number were forwarded to the concentration camps of Flossenbrueck and Sachsenhausen. The evacuation of these 30,000 took place under terrible conditions. The group consisted mostly of women and some Jewish units from the Hungarian labor service, and they were forced to walk about 180 kilometers in rain and snow and without food to the Austrian border. There Abromeit and I were charged with receiving the group and further transporting them to the labor camps. The group arrived in a state of complete exhaustion and I was told by the Hungarian guards that a considerable number had died of exhaustion and starvation during the march. I first refused but was later compelled to take over the transport from the Hungarians when this protest was reported by the Hungarians to Eichmann. From that moment on, Eichmann completely lost his confidence in me, a confidence which had already earlier been shaken. My participation in the Hungarian actions ended.

28. I am not personally informed as to the affects of measures taken in Germany or other occupied countries although I have heard many discussions by Eichmann and the Jewish Specialists from RSHA on such areas concerning the numbers involved. Neither am I informed as to the results of operations by Einsatz

Groups in Poland and Russia but I know that Einsatz Groups operating in the East were designated "A" through at least "H". I talked to members of Einsatz Group "H" late in 1944 in Hungary, who had operated in the area around the Black Sea. On the basis of the information I have received, some of which came direct from Eichmann, there were hundreds of thousands of Jews exterminated by these Einsatz Groups.

29. In November 1942, in Eichmann's office in Berlin, I met Standartenfuehrer Plobel, who was leader of Kommando 1005, which was specially assigned to remove all traces of the final solution (extermination) of the Jewish problem by Einsatz Groups and all other executions. Kommando 1005 operated from at least autumn 1942 to September 1944 and was all this period subordinated to Eichmann. The mission was constituted after it first became apparent that Germany would not be able to hold all the territory occupied in the East and it was considered necessary to remove all traces of the criminal executions that had been committed. While in Berlin in November 1942, Plobel gave a lecture before Eichmann's staff of specialists on the Jewish question from the occupied territories. He spoke of the special incinerators he had personally constructed for use in the work of Kommando 1005. It was their particular assignment to open the graves and remove and cremate the bodies of persons who had been previously executed. Kommando 1005 operated in Russia, Poland and through the Baltic area. I again saw Plobel in Hungary in 1944 and he stated to Eichmann in my presence that the mission of Kommando 1005 had been completed.

30. After being dismissed by Eichmann from further participation in the final solution of the Jewish question in Hungary, I paid a visit to Slovakia on personal business and reported to Berlin end of January 1945. I had a short formal interview with Eichmann who then took me to Mueller for reassignment outside of IV A 4 b. Mueller assigned me to IV B 2 c which handled Slovakian matters other than Jewish questions. On 28 January, I reported in Trebnitz outside Berlin where the subsection had evacuated because of heavy air raids in Berlin. While at Trebnitz I was given the assignment of studying papers in connection with the Slovakian insurrection August–December 1944. My interest was drawn to the files containing the interrogation reports of the captured members of the American and British military mission in Slovakia. These files were given to me by Sturmbannfuehrer Schoeneseiffen who had been in charge of the interrogations of the prisoners at Mauthausen concentration camp. I ascertained

the following facts. Members of the two missions were landed in Banska Bystrica by airplanes from Bari, Italy. Their mission was to contact Allied pilots who had been compelled to land in Slovakia, and help effectuate their escape to Italy. They had succeeded in this task in many cases. Another task was to contact the leaders of the insurrection Army, the so-called Czechoslovakian Army of insurrection especially Generals Viest and Golian; obtain information of their demands for equipment and other supplies and transmit these demands to the Allies, in Bari and in London.

31. After the collapse of the insurrection, the members of the mission fled to the mountains in Lower Tatra where they were finally captured at the end of November or the beginning of December by squads from the Commander of Security Police and SD at Bratislava, Witiska. The prisoners were brought to Bratislava where they were subjected to preliminary interrogations and reports were sent to RSHA and thence to Himmler. The files showed a large number of communications back and forth between Witiska and the RSHA. Himmler finally, by the middle of December, ordered the prisoners brought to Mauthausen concentration camp for thorough interrogation. Schoeneseiffen was detailed to prepare the questionnaires pertaining to the American and English Foreign Intelligence Service. He had the cooperation in this work of the AMTs interested in these matters and then proceeded to Mauthausen accompanied by a staff of interpreters. The result of his interrogations were contained in the files in the form of extensive individual reports. These reports were signed by the interrogator, the interpreter and the witness. The copies of summaries of the interrogations which were sent to Himmler carried Kaltenbrunner's initials. I limited my examination to the matters in which I was interested but I do remember that the name of the Chief of the American mission was Captain Brown, another member of this Mission was Lieut. Mican. The Chief of the British mission was Captain Sehmer, a man of German extraction, and another member was Rice whose family name had been something like Hochfelder, an Austrian Jew who had emigrated from Vienna in 1938. There were no signs in the report that the interrogations had been conducted by pressure methods except in the report signed by one of the American officers, I believe Brown, had, and I distinctly remember it, signed in English above his signature "Given under duress and protest". I know that pressure methods were used in special cases upon special permission from above. The files I examined contained no such orders but certain papers had been extracted by Schoeneseiffen

and retained in his personal custody. The last paper in the file was a request from OKW to have the captured Allied prisoners transferred to regular PW camps. However, I learned from Sturmbannfuehrer Thomsen of the IV B 2 that the prisoners had been shot on order of Hitler as retaliation for alleged shooting of German officers in Paris.

32. On the first of February, the camp in Trebnitz was evacuated because of the approaching Russians. Mueller returned me to Eichmann. In late February I talked to Eichmann and he made the statement which I have referred to above in paragraph 10. Eichmann proposed to Runsche and myself that he was going to have Theresienstadt destroyed together with all the Jewish inmates. We prevailed upon him to abandon such a plan. At this meeting, Eichmann also said that if matters came to the worst, he would return to Prague and shoot his family and himself. I did not see Eichmann again.

I understand written English and have made the foregoing statements and attached Appendix A-I and II voluntarily and under oath.
[signed] DIETER WISLICENY

Subscribed and sworn to before me this 29th day of November 1945 at Nurnberg, Germany.
[signed] SMITH W. BROOKHART, JR.
Lt. Col. IGD

[Appendix A-I omitted.]

APPENDIX A-II.—A tabular statement showing the time, destination and fate of the Jewish transports directed by the RSHA, based on the personal knowledge of Dieter Wisliceny

Country of origin and approximate number	Time	Concentration Camp	Forced labor	Executed or died	Remained alive	Remarks	Responsible for accomplishments	Source of information
Slovakia 17,000	1. March-April 1942.	Lublin, Auschwitz ...	17,000	....	17,000	....		Own observations.
35,000	2. May-June 1942	Auschwitz ...	....	35,000	?	....	Wisliceny, 1940–September 1944	
14,000	3. October 1944	Auschwitz ...	....	14,000	?	....	Brunner, September 1944–April 1945	
Remnants	4. February 1945	Theresienstadt	....	....	800	....	....	
Total 66,000								
Greece:					1. According to Hoess, all Greek Jews were of poor quality and of no labor value.	1. Of the Greek Jews, not too many seemingly remained alive according to remark by Hoess to Eichmann.	Brunner, February-May 1943 Wisliceny February-May 1943	Own observations.
1. Saloniki and Macedonia ... 55,000	1. March-May 1943	Auschwitz ...	....	55,000				
2. Athens, Epirus Islands, South and Central Greece 5,000	2. July 1944..	Auschwitz ...	....	5,000		700 Jews of Spanish nationality transported in August 1943 to Bergen-Belsen, in December to Spain	Burger, 1944	Burger September 1944 in Budapest.
Total 60,000								
Bulgaria								Dannecker, April 1943 in Sofia
Only from Thracia and Macedonia 8,000	March April 1943.	Auschwitz ...	....	8,000	?		Dannecker–1943	

Country of origin and approximate number	Time	Concentration Camp	Forced labor	Executed or died	Remained alive	Remarks	Responsible for accomplishments	Source of information
Croatia, Agram .. 3,000	Summer 1942.	Auschwitz ...	....	3,000	....	Only two transports since Jews had taken refuge in Italian and Tito territories.	Abromeit—1941 to 1944...	Abromeit, November 1942 in Berlin.
Hungary:								
1. All Hungary except Budapest ... 458,000	1. April-July 1944..	Auschwitz ...	Possibly 108,000	35,000 to 458,000	Possibly 103,000	The transports mentioned under 2 and 3 belong to "Joint-Action". The transport mentioned under 3 was sent to Switzerland from Bergen-Belsen in December 1944. *†=Died of typhus and weakness.	"Special Action Kommando Eichmann" consisted of: Eichmann, Krumey, Hunsche, Wisliceny, Dannecker, Abromeit, Novak, Dr. Seidl, *Schmidtsiefen, Kryschak, *Rau, Hartenberger, Girzick, Burger, *Wolf, *Ramberger, *Schmidt. *=These officials were attached to the Kommando from BdS, Budapest.	Own observations.
2. From Kekskemet, Szeged, Debreczen .. 9,000	2. July 1944..	Vienna and vicinity ...	9,000					
3. From Klausenburg, Budapest 3,000	3. August 1944	Lower Danube ...						
4. From Budapest 30,000	4. November-December 1944	Flossenbrueck and Sachsenhausen	30,000	3,000*†				
Total 500,000								

Subscribed and sworn to before me this 24th day of November 1945 at Nurnberg, Germany.
[signed] Smith W. Brookhart, Jr., Lt. Col. IGD.

I understand written English and have made above statement voluntarily and under oath.
[signed] Dieter Wisliceny.

[This affidavit is substantially the same as the testimony given by Schellenberg on direct examination before the International Military Tribunal at Nurnberg, 4 January 1946.]

AFFIDAVIT

Walter Schellenberg, being first duly sworn according to law, deposes and says:

I

1. I was born in Saarbruecken on 16 January 1910. I studied law and became a Court Assistant at Bonn, and later at Dusseldorf in the same capacity. In June 1933 I was an SS candidate and in 1934 was promoted to Oberscharfuehrer (Sergeant), assigned to administrative work. In this position I was called upon to lecture SS members. Following one of these lectures I was approached by an officer of the SD and asked to join that organization. In 1934 I served the SD in Frankfurt on Main. In 1935 I was transferred to Berlin as a legal assistant in the headquarters of the SD. In 1936 I left the SD temporarily to take another state bar examination and rejoined shortly thereafter in Berlin. In August 1939 I was transferred to the Gestapo with the rank of Sturmbannfuehrer (Major) and placed in charge of counter espionage. I held that position until June 1941 and was then transferred to AMT VI, the Political Intelligence Service of the Reich, at my own request, with the rank of Obersturmbannfuehrer (Lt. Colonel). In July 1942 I became the head of that department with the rank of Standartenfuehrer (Colonel). In January 1943 I was again promoted to Oberfuehrer (Senior Colonel—no American equivalent). In June 1944 I became a Brigadefuehrer (Brigadier General) and General of Police and Waffen SS, and my department was expanded to include all intelligence operations in Germany, military intelligence abroad, and the former functions of the Military Intelligence Department of the Abwehr. I remained in this position until the end.

II

2. I was Chief of Amt VI of the Reichssicherheitshauptamt (RSHA) from the autumn of 1941 to the end of the war. I first met Ernst Kaltenbrunner in 1938. He was then State Secretary for Security under Seyss-Inquart in Austria. Our first meeting was on the occasion of a gathering of police officials at which Kaltenbrunner spoke. Kaltenbrunner held the position of State Secretary for Security for several months, after which the office was changed into that of Higher SS and Police Leader, which position he held until being appointed Chief of the Security Police

and SD (RSHA) on 30 January 1943. On or about 25 January 1943, I went together with Kaltenbrunner to Himmler's headquarters at Loetzen in East Prussia. All of the Amt Chiefs of the RSHA were present at this meeting, and Himmler informed us that Kaltenbrunner was to be appointed Chief of the Security Police and SD (RSHA) as successor to Heydrich. His appointment was effective 30 January 1943.

3. I know of no limitation placed on Kaltenbrunner's authority as Chief of the Security Police and SD (RSHA). He promptly entered upon the duties of the office and assumed direct charge of the office and control over the Amt (Bureau). All important matters of all Aemter (Bureaus) had to clear through Kaltenbrunner. With regard to the following Aemter (Bureaus) the control and supervision exercised by Kaltenbrunner was as follows:

a. AMT 1. All personnel and organizational matters of importance had to be submitted to Kaltenbrunner for approval.

b. AMT 2. Kaltenbrunner had a particularly strong interest in this office because of the control it had in financial matters. He later placed Spacil, an old friend, into this office as Chief. True Spacil had unlimited jurisdiction, but because of his limited stature he was looked upon by other Amt Chiefs merely as Kaltenbrunner's paymaster. He had to submit all requests for amounts in excess of RM 50,000 to Kaltenbrunner for his personal approval.

c. AMT 3. To my best recollection, all reports of Amt 3 had to be submitted to Kaltenbrunner. Kaltenbrunner worked actively on German internal policy on the basis of these reports. Ohlendorf, Chief of Amt 3, assisted Kaltenbrunner greatly with his reports. Early in his administration Kaltenbrunner considered removing Ohlendorf but by the end of 1943 he was convinced of the value of Ohlendorf's efficient reporting agencies and decided to keep him.

d. AMT 4. Mueller, like all other Amt Chiefs, had to submit all important matters to Kaltenbrunner for approval. Mueller had considerable independence in carrying out the routine of Amt 4 because of his long experience as head of the Gestapo. On many occasions I have heard Mueller discussing matters pertaining to Amt 4 with Kaltenbrunner, especially after the daily meetings of the Amt Chiefs. In the beginning Kaltenbrunner was not very close to Mueller, but from the end of 1943 on they were very friendly.

e. AMT 5. Kaltenbrunner had little interest in criminal matters of a nonpolitical nature, but as in the case of the other

Aemter (Bureaus), all important matters in Amt 5 were submitted to him for approval. Kaltenbrunner did take a personal interest in cases of corruption within the Party.

f. AMT 6. Kaltenbrunner exercised direct control over Amt 6 and the Mil. Amt. (Military Bureau). All important matters from Amt 6 had to go through Kaltenbrunner's office, and I had to consult with Kaltenbrunner on such matters on an average of once every three or four days. There were numerous telephone calls and memoranda between. Kaltenbrunner took particular interest in Section VI E (Balkans) under Wanneck and Section VI S (Kommandos) under Skorzeny.

g. AMT 7. This was a small Amt of relatively little importance. It handled archives and ideological research and had no field organization. I do not know what authority Kaltenbrunner exercised over this office.

4. At no time was I informed by Himmler or Kaltenbrunner or anyone else that there was a special limitation on Kaltenbrunner's authority as Chief of the Security Police and SD. His actions and assertions were all to the contrary. He made it very clear in his official relations with all of us who were his Amt chiefs that he was the head of the office exercising full executive powers and deciding all matters of policy. He permitted us to issue directives within the organization in our own names pursuant to fixed policies established by him, but all important matters had to be submitted to him whether he signed them or we signed them. He was constantly informed of all matters of importance which went on in his office.

5. I estimate that, exclusive of female help, the Gestapo (Secret State Police) had between 40,000 and 45,000 personnel; the KRIPO (Criminal Police) had between 15,000 and 20,000; the SD, inside Germany, had between 2,500 and 3,000 (inclusive of female help); and the SD, outside Germany, which was my AMT VI, had about 400.

III

6. Late in May 1941, I kept the minutes of a meeting between Heydrich, Chief of the Security Police and SD, and Generalquartiermeister of the Army, General Wagner (Chief of Operations) at which an agreement was reached between OKW, OKH, and RSHA, concerning the use of Einsatz Groups and Einsatz Commandos in the coming Russian campaign. The agreement was executed in writing, signed by General Wagner for the armed forces and Heydrich for the RSHA.

7. The agreement provided that, for the security of the com-

bat troops during the coming Russian campaign, their rear is to be protected with all means. The purpose was that all resistance should be broken with every means. The Security Police and the SD were to be used in support of the combat units of the army for this task. To the best of my recollection, the main supply routes were an example of such special security object.

8. The second part of the agreement provided that each army group should have a corresponding Einsatz group with its subordinate Einsatz Commandos under its operational command. Four sectors were defined: First, the front area; second, the operational area, which corresponded exactly to the operational area of the army; third, army rear; and fourth, the area where civil administration was to be instituted (Reichskommissariate). In these various sectors, command jurisdiction was defined specifically. In the front area and the operational area, the Einsatz Commandos of the security police (SIPO) and the SD were tactically and administratively subordinate to the army, i.e., they were completely under the jurisdiction of the army. In the rear of the operational area and in the army rear, they were to be put under the jurisdiction of the army only administratively. In the proposed areas for the civil administration (Reichskommissariate), the same regulations of command and jurisdiction should be applicable as in the Home Area of the Reich.

9. The agreement further set forth a detailed explanation of the terms "Tactical" and "Administration". It was agreed that the army should control matters of discipline and should be responsible for necessary supplies.

10. I learned later that the Einsatz Groups liquidated Jews and Communist Kommissars and I concluded that an order to that effect must have been given. I do not recall any written order to this effect but know that such liquidations took place and that reports were received in RSHA from the several Einsatz Groups. Later a report of Stahlecker, leader of Einsatz Group "A", was submitted to me (Document OUSCC L–180) which I believe to be authentic. In this report, the detailed results of the operations of Stahlecker's Group were set forth, including the number of Jews and others executed. From this report, I inferred that the liquidations must have begun already in the Fall of 1941. Repeated attempts were made to put me in command of an Einsatz Group but I always succeeded in avoiding such service.

IV

11. Concerning certain of Kaltenbrunner's actions as chief of

RSHA, I recall the following conversation between Gruppenfuehrer (Maj. Gen.) Mueller, Chief of Gestapo, Amt IV of RSHA, and Kaltenbrunner, Obergruppenfuehrer (Lt. Gen.). (I myself did not partake in this conversation but I was present and able to follow the conversation.)

12. The first conversation took place in the summer of 1944 in a room of the office of Obergruppenfuehrer Kaltenbrunner in Berlin, Wilhelmstrasse #102, where, toward the end of luncheon, the Amt Chief (Bureau Chief) Mueller directed the question to Kaltenbrunner what was to be done with 25 French prostitutes, diseased with syphilis who took up a great deal of space in a hospital the name of which I no longer recall. He answered, "Shoot them".

13. The second incident was in the fall of 1944 in a room of the new office of Amt IV, Kurfuersten Strasse, toward the end of one of the regular Amt chief's conferences. It centered around an inmate named Dohnany who played a role in the events of the 20th of July and who had incurred an incurable disease. In this case Kaltenbrunner said also, "Shoot him".

14. The third incident was a conversation between Kaltenbrunner, Gruppenfuehrer Nebe and Gruppenfuehrer Mueller. This took place in the spring of 1944 in Berlin, Wilhelmstrasse #102, at the end of an Amtschef conference, where the three above named agreed to confer about the problem which was being touched. The problem, as far as I heard the facts, concerned the following: Gruppenfuehrer Mueller and Nebe were in negotiations with gentlemen of the Foreign Office on a note of the International Red Cross in which protest was raised against the shooting of English and possibly also American prisoners. Kaltenbrunner consulted Mueller and Nebe in order to find out in what form one could best cover up the actually effected shootings in each individual case. Kaltenbrunner spoke of death resulting from bomb attacks, shooting while attempting to escape and while offering resistance. Each individual case was to be justified individually. If I remember correctly, approximately 50 people who were shot had escaped from a camp near Breslau. It was not even then possible for me to get a clear picture out of the bits of conversation since I was not familiar with the subject matter.

15. In 1944 on another occasion but also in the course of an Amtschef conference, I heard fragments of conversation between Kaltenbrunner and Mueller. I remember distinctly the following remark of Kaltenbrunner:

All offices of the SD and the security police are to be informed that pogroms of the populace against English and American terror-fliers were not to be interfered with; on the contrary, this hostile mood is to be fostered.

16. Further, in 1944, towards the end of an Amtschef conference, upon Kaltenbrunner's return from an official trip to Vienna and Linz, he, Kaltenbrunner, told of his visits in the concentration camp Mauthausen and of his friend Ziereis who was commandant of that camp. Kaltenbrunner reported with pride that he had virtually himself, as higher SS and police leader in Vienna, built up that camp and that it now was producing most valuable armament work, protected against air raids.

17. Toward the end of the war, especially after the 20th of July 1944, Kaltenbrunner became better acquainted with Hitler. He was especially friendly with Fegelein and his wife, the sister of Eva Braun. So powerful had Kaltenbrunner become toward the end that even Himmler feared him.

18. Himmler told me on the 13th of April 1945 when I asked him to receive the representative of the Jewish world congress, Mr. Storsch, from Stockholm, "But how am I going to do that with Kaltenbrunner around, I shall then be completely at his mercy!"

V.

19. Late in October 1944, Mr. Musy, former President of Switzerland, and his son visited Himmler at my instigation. In Musy's first discussion with Himmler, they went into the Jewish problem and he proposed to Himmler that all Jews still interned in concentration camps in Germany be discharged. It was suggested that Germany should receive in return for release of Jews a certain number of tractors, trucks and foreign currency. Himmler was undecisive during the negotiations and did not have the courage to make a basic decision. The decisions resulted in no binding agreement since Mr. Musy needed to clarify the issues with Jewish organizations. I was requested by Himmler to continue my contact with Mr. Musy and to aid with State Police officials in obtaining the release of individual Jews and Frenchmen whose release was authorized by Himmler.

20. I approached Mueller, Chief of Amt IV and requested permission to take up individual cases personally. Mueller refused, saying that I was not a member of the Secret State Police and would therefore not be permitted to look into its internal activities. He directed me to State Police officials and I was permitted to get in touch with internees and bring about improvement in their living conditions. These included: Alien Thorel, Brothers Rottenberg, Family Donnebaum, Family Rosenberg, Dr. Stiassny and Helene Stein.

21. A second discussion between Musy and Himmler took place on 12 January 1945 at my instigation and thereafter a trainload of approximately 1200 Jews was to leave for Switzerland every 14 days. Himmler expected to bring about a change in the world propaganda against Germany. He also hoped to have certain sums of money made available to be used later. I was successful in convincing Himmler that this money should be turned over to the International Red Cross.

22. The first trainload of Jewish immigrants was delivered early in February. Thereafter Musy submitted a press story of 8 February from the New York Times and also submitted proof that he deposited 5,000,000 Swiss francs placed in trust later in February. Thereafter Kaltenbrunner, at the direction of Hitler, prevented further transports of Jews into Switzerland. Hitler threatened the death penalty for anyone attempting to further assist such transfers and ordered that not another Jew nor any American or British PW's should pass the border with the aid of any German.

23. Mr. Musy again visited Berlin and expressed great anger and bitter disappointment over the stopping of transfers. Musy and I suggested to Himmler that requests be made to the Western Powers for a 4 day armistice to permit sending all Jews and foreign internees through the front lines in an orderly manner. On my own responsibility I informed SS Obergruppenfuehrer Berger, Chief of War Prisoners, of the plan. He delayed sending many of Hitler's orders and thereby saved the lives of thousands of people who would otherwise have been evacuated from POW camps or executed where evacuation was impossible. Himmler favored the plan of an armistice but did not have the courage to suggest it to Hitler. I discussed it with Kaltenbrunner who replied to me on 3 April 1945: "Have you too joined the idiots?"

24. Himmler agreed with Musy and me that an order should be given preventing evacuation of concentration camps. On 7 April 1945, I communicated with Musy stating that it was Himmler's request that he communicate with General Eisenhower and state that an order for nonevacuation was agreed to by Himmler. Mr. Musy reported back 3 days later that Washington had received the communication and reacted in a favorable manner. Mr. Musy, Jr., returned to Germany to pick up a number of Jews from Buchenwald under authority granted by Himmler. He received unfavorable treatment from the camp commandant and returned to Berlin on 10 April, expressing horror at what he had observed in the evacuation of the camp.

I looked into the matter and found that Himmler had been discredited with Hitler by Kaltenbrunner and that all camps were ordered to be evacuated. I reproached Himmler by telephone and found him embarrassed by the fact that a number of orders had bypassed him and that his course of action was blocked by contrary orders from Kaltenbrunner. Immediate energetic action by Himmler counteracted Kaltenbrunner's orders and saved many lives.

25. During March 1945, Dr. Burkhardt, President of the International Red Cross, with whom I had a contact through Swiss friends, indicated he wished to talk to Himmler about evacuation of various nationals held in Germany. I relayed this information to Himmler who talked with Hitler and was prohibited from having such a meeting. I then suggested that Himmler send Kaltenbrunner or myself. Kaltenbrunner was selected and he ordered me to draft a letter to Dr. Burkhardt. He also informed Ribbentrop of the plan. Kaltenbrunner and Himmler planned that if the Press should mention the meeting they could make believe that it was instigated by Ribbentrop. Dr. Burkhardt answered Kaltenbrunner's letter positively and a discussion took place between him and Kaltenbrunner for which I prepared the technical aspects of the German side. Dr. Burkhardt was satisfied with the results of the discussion and wrote a long letter with concrete proposals covering the categories and priorities for the exchange of internees from all Nations. Kaltenbrunner's comment on these letters was that it was a clever legal document and contained detailed proposals which he could not fulfill. He declared that in order to save face he would permit the transport of a number of French women from Ravensbruck, with permission of Himmler. Kaltenbrunner kept me out of further participation in order to evade my insistent demands that Dr. Burkhardt be answered. I then discussed the matter with Himmler who also failed to take action. I sent one report to my friends in Switzerland and was thereafter unable to maintain communication and the proposed attempt to bring about a humanitarian evacuation was thus circumvented.

The above statements were made by me voluntarily and without coercion. They are true and correct to the best of my knowledge and belief.

[In handwriting of Schellenberg] "I understand written English"

[signed] WALTER SCHELLENBERG

Walter Schellenberg

Subscribed and sworn to before me, this 23rd day of January 1946.

[signed] Smith W. Brookhart, Jr.

Smith W. Brookhart, Jr., Lt. Col., IGD

[This affidavit is substantially the same as the testimony given by Hoellriegl on direct examination before the International Military Tribunal at Nurnberg, 4 January 1946.]

Affidavit of ALOIS HOELLRIEGL

Nurnberg, Germany
22 November 1945

I, Alois Hoellriegl, being first duly sworn, depose and state as follows:

1. I became a member of the NSDAP and the SS in 1938. I was trained for military service in 1939 and after an illness was transferred to the Totenkopf SS as a guard. I served as a guard at the Mauthausen Concentration Camp from early 1940 to May 1945.

2. During 1940 and 1941 I saw the following persons visit the camp: Pohl, Richard Gluecks, Baldur von Schirach, August Eigruber, who was Gauleiter of Upper Austria, and Uiberreiter, who was Gauleiter of Styria. It was a common event for important officials to come to Mauthausen at this time.

3. On one occasion, I believe it was in the fall of 1942, Ernst Kaltenbrunner visited Mauthausen. I was on guard duty and saw him twice. He went down to the gas chamber with Zereis, Commandant of the camp, at a time when prisoners were being gassed. The sound of the gassing operation is well known to me. I heard the gassing taking place while Kaltenbrunner was present.

4. Executions were carried out almost daily at Mauthausen. In the years preceding 1942 they were carried out by firing squads and bodies were burned in the camp incinerator which operated almost daily. SS-guards made up the firing squads and were detailed for the work in a routine manner the same as for other work details. Victims executed by a firing squad were always shot singly by six men using rifles. The number of executions varied daily. Sometimes they included persons brought by the Gestapo who were executed immediately.

5. In 1942 a gas chamber resembling a shower room was built next to the incinerator. Gas executions were carried out in the gas chamber approximately three times a week and the bodies were burned in the adjoining incinerator. From my guard post I could hear the sound of the victims pounding on the door when the gas was turned on. The gas chamber had a capacity of 25 to 40 persons and the usual procedure was to require persons to report there for the purpose of taking a bath. After they entered the

chamber the door was closed and the gas turned on. After a few minutes the dead bodies were taken to the incinerator and the gas chamber was aired for the next execution. Both the use of the firing squad and the gas chamber continued until the day of liberation of the camp in May 1945.

6. More than 2,000 of the prisoners were used for work in a stone quarry near Mauthausen. In 1941 I was on duty in a watch tower about 200 meters from the quarry. I saw Hauptscharfuehrer Spatznegger and Unterscharfuehrer Edenhofer drive ten or twelve Jews to the top of the quarry which had a precipice of 30 to 40 meters. The Jews had been beaten with sticks so that they cringed on the ground. I watched very closely. Spatznegger kicked one of the Jews repeatedly with his feet and then dragged him almost to the edge of the rock and then left him there. After a while this Jew threw himself off the rock into the quarry. Five or six others were dragged to the edge of the rock and pushed off. The two guards had to be careful not to be dragged down themselves. I was told by my comrades that these things happened on other days later but I did not see them myself. In the evening after duty we guards discussed these things. We called the people "Parachutists" who jumped down or were pushed down from the rock.

The facts stated above are true; this declaration is made by me voluntarily and without compulsion; after reading over the statement I have signed and executed the same this 22nd day of November 1945 at Nurnberg, Germany.

[signed] Alois Hoellriegl
ALOIS HOELLRIEGL

Subscribed and sworn to before me at Nurnberg, Germany this 22nd day of November 1945.

[signed] John B. Martin
JOHN B. MARTIN
Lt. (j.g.) USNR

[Note: Affidavits substantially the same as the testimony of the other two U. S. prosecution witnesses, Bach-Zelewski and Blaha, may be found in documents 3712-PS and 3249-PS.]

TRANSLATION OF AFFIDAVIT F

Affidavit of JOSEF DIETRICH

Nurnberg, Germany
20 November 1945

I, Josef Dietrich, being first duly sworn, depose and state as follows:

1. I became a member of the NSDAP in 1928 and of the SS

at the end of 1928 or the beginning of 1929. In 1933 I became a member of the Waffen-SS. I continued as a member of these organizations until the end of the war.

2. On January 15, 1933, I was ordered by Hitler to organize the Leibstandarte Adolf Hitler, of which I became the first commanding officer. This regiment was trained, inspected and armed by the Germany Army. It was put under complete command of the Army at the time of the march into Austria and from September 1939 to the end of the war.

3. On or about 30 June 1934 an order was received at my headquarters directing 700 or 800 men to be sent to Munich. Transportation was furnished by the Army. I was away at the time and my troops had actually arrived in Munich before I reached them. To the best of my recollection these orders came from Hitler to General Blomberg and from him to me.

4. When I arrived in Munich I found the Brown House where my troops were ordered to go, already occupied by a battalion of engineers. I took my troops into the engineers' barracks. At 4 o'clock in the afternoon I met Hess and Gauleiter Wagner at the Brown House. Wagner told me, "On the Fuehrer's orders take a detail of 10 men to the police prison at Stadelheim. They shall go there and execute some of these people who mutinied." Hess repeated this. When I got there I went to see the prison director and asked to be shown a written order for these executions. The prison director had no such order and such an order was never shown to me. Later, however, the Minister of Justice, Hans Frank, arrived and spoke to the prisoners. Then the police handed them over to me and they were shot. As far as I can remember there were about 6 or 8 officers of the SA.

The man in charge of the detail was Sturmbannfuehrer Reich. He was a member of the Leibstandarte Adolf Hitler under my command.

The facts stated above are true; this declaration is made by me voluntarily and without compulsion; after reading over this statement I have signed and executed the same at Nurnberg, Germany, this 21st day of November 1945.

[signed] JOSEF DIETRICH
Josef Dietrich

Subscribed and sworn to before me this 21st day of November 1945 at Nurnberg, Germany.

[signed] John B. Martin
JOHN B. MARTIN
Lt. (j.g.) USNR

Affidavit of JOSEF DIETRICH

Nurnberg, Germany
21 November 1945.

I, Josef Dietrich, being first duly sworn, depose and state as follows:

1. I became a member of the NSDAP in 1928 and of the SS at the end of 1928 or the beginning of 1929. In 1933 I became a member of the Waffen-SS. I continued as a member of these organizations until the end of the war.

2. In October 1944 I was made Commanding General of the 6th Panzer Army.

3. At the end of November 1944 I became acquainted with Skorzeny, in the Reichschancellery in Berlin. I was ordered there with Fieldmarshal Jodl in connection with commitment of the 6th Panzer Army in the Cologne area. After the conference, I saw Skorzeny with General Fegelein in the hall. I asked him what he was doing at the time and he only answered me by saying that he had a special assignment from the Fuehrer and had to report to General Jodl. I then said, "What sort of an assignment do you have?" He said he could not tell me this because it was very secret. On the next day he called me on the telephone to ask if he could talk to me. I told him that I did not have much time. Skorzeny came to my home in Silberberg where we talked.

4. Skorzeny asked me if I still had captured vehicles in my Army. He wanted either American or English vehicles. I said I did not know. They were not being given out because the troops were not sufficiently equipped with vehicles. I asked him what he needed them for. He said that he had the assignment to organize a special group for which he needed these vehicles. I asked him whether he wanted to operate behind the enemy lines and whether they were SS-men. Skorzeny said, "No", they could not be used for such an assignment. He said the men he was using were all picked by him and I would be told about it later. He said his assignment was secret.

5. When I returned to the Army I found that an order had been received from the Fuehrer's headquarters requesting my troops to turn in all captured vehicles and uniforms. But the order could not be carried out because the time allowed was too short.

6. On the 8th or 10th of December Skorzeny reported to my Chief-of-Staff. I was not present. On the 15th of December he reported to me with an order from Hitler or Jodl, to the effect that in the coming offensive he was to go through the 6th or 5th

Panzer Armies into enemy lines at the time of their attack and was to cause disruptions behind the front there. I asked him what sort of "disruptions" they were to be and how he expected to do that. Skorzeny said that he had a small group, armed with automatic submachine guns, wearing American and English uniforms and using captured vehicles. He said they were all people who spoke English. He said they could do anything. They could destroy communication lines, give false orders to troops, seek out gasoline dumps, protect bridges from being destroyed and prevent the enemy from regrouping quickly. I asked him if he thought such a thing easy. He said, "Yes, everything has been tried out." He promised it would be a great success. I told him that he should not promise so much because it would not be as simple as he thought. I wish to add that I neither saw nor spoke with Skorzeny's men either on the training ground or when they arrived at the combat zone.

7. On the 16th of December 1944, the day of the attack, Skorzeny and his men were attached to the I SS Panzer Corps which was to lead the attack. I do not believe he got any orders from Corps.

8. The Army, as far as I know, received no messages of success from operation "Grief". After several days the I SS Panzer Corps ordered the immediate withdrawal of "Grief" because of false messages and because he was creating difficulties for the Corps Command.

9. Skorzeny went with a part of his men under the command of the 5th Panzer Army. But in the meantime Skorzeny called me on the telephone to inform me he was leaving to report to the Fuehrer at headquarters. He told me that he had ordered his men back as far as he could locate them. This was at the end of December. I heard nothing more about the operation "Grief". Operation "Grief" was finished.

The facts stated above are true; this declaration is made by me voluntarily and without compulsion; after reading over this statement I have signed and executed the same at Nurnberg, Germany this 21st day of November 1945.

[signed] Josef Dietrich
JOSEF DIETRICH

Subscribed and sworn to before me this 21st day of November 1945 at Nurnberg, Germany.

[signed] John B. Martin
JOHN B. MARTIN
Lt. (j.g.) USNR

AFFIDAVIT

I, Fritz Ernst Fischer, being first duly sworn according to law, upon my oath do depose and say:

I am a doctor of medicine, having been graduated from the University of Hamburg and passed my State Examination in 1936. On 13 November 1939 I was inducted into the Waffen-SS and after having served with a combat division as medical officer, I was hospitalized and then assigned to the SS Hospital at Hohenlychen, as Assistant Surgeon.

In addition to my normal duties as surgeon at the SS Hospital at Hohenlychen, on or about 12 July 1942 I was ordered by Professor Gebhardt to begin medical experiments in my capacity as assistant surgeon to Professor Gebhardt. Professor Gebhardt was a Gruppenfuehrer SS, supreme clinical physician on the staff of the Reichsarzt der SS and Polizei [Oberster Kliniker im Stab Reichsarzt SS and Polizei], and was chief of the SS Hospital at Hohenlychen. The purpose of the proposed experiments was to determine the effectiveness of sulfanilamide, which I was informed at that time was a matter of considerable importance to military medical circles.

According to the information which I received from Professor Gebhardt, these experiments were directed initially by the Reichsfuehrer SS and the Reichsarzt, Dr. Grawitz.

Professor Gebhardt instructed me, before the operations were undertaken, on the techniques to be followed and the methods of procedure to be employed. Although I was informed by Professor Gebhardt that the subjects of the experiments were to be inmates of the concentration camp at Ravensbruck who were sentenced to death, I had nothing to do with the selection of the patients and hence do not know whether all the subjects of the experiments were sentenced to death or what authority made the determination to condemn these persons to death.

The administrative procedure which was followed in obtaining the subjects for the experiments was established by Professor Gebhardt with the camp commandant at Ravensbruck. After the initial arrangements had been made, it was the general practice to inform the medical officer at Ravensbruck as to the date on which a series of experiments was to be begun and the number of patients which would be required, and then he took the matter up with the commandant of the camp, by whom the selections of subjects were made. Before an operation was undertaken, the persons who had been selected in accordance with this procedure, received a medical examination by the camp physician to determine their suitability for the experiments from a medical standpoint.

The first of the series of experiments involved five persons. The gangrenous bacterial cultures for use in the experiments were obtained from the Hygienisches Institute der Waffen SS. The procedure followed in the operations was as follows: the subject received the conventional anaesthetic of morphine-atropine, then evipan-ether. An incision was made five to eight centimetres in length and one to one-and-a-half centimetres in depth, on the outside of the lower leg in the area of the peronaeus longus.

The bacterial cultures were put in dextrose, and the resulting mixture was spread into the wound. The wound was then closed and the limb encased in a cast which had been prepared, which was lined on the inside with cotton, so that in the event of swelling of the affected member, the result of the experiment would not be influenced by any factor other than the infection itself.

The bacterial cultures used on each of the five persons varied both as to the type of bacteria used and the amount of culture used.

After the initial operations had been performed, I returned to Ravensbruck each afternoon, to observe the progress of the persons who had been operated on. No serious illnesses resulted from these initial operations. I reported the progress of the patients to Professor Gebhardt each night.

When the five persons who were first operated on, were cured, another series of five was begun. The surgical procedure and the post-operative procedure was the same as in the initial experiments, but the bacterial cultures were more virulent. The results from this series were substantially the same as in the first and no serious illnesses resulted.

Since no inflammation resulted from the bacterial cultures used in the first two series of operations, it was determined, as a result of correspondence with Dr. Mugrowsky, the head of the Hygienisches Institute der Waffen SS and conversations with his assistant, to change the type of bacterial culture in the subsequent operations. Using the new culture, two more series of operations were performed, each involving five persons.

The difference between the third and fourth series was in the bacterial cultures used. The Hygienisches Institute der Waffen SS prepared them from separate combinations of the three or four gangrene cultures which were available. In the third and fourth series, a more pronounced infection and inflammation was discernible at the place of incision. Its characteristics were similar to a normal, local infection, with redness, swelling and pain. The circumference of the infection was comparable in size to a chestnut. Upon the completion of the fourth series the camp physician informed me that the camp commandant had instructed him that no longer would male patients be available for further experiments, but that it would be necessary to use female inmates.

Accordingly, five women had been prepared for the operation, but I did not operate on them. I reported the change of situation to Professor Gebhardt and suggested that in view of these circumstances, it would be desirable to stop the experimental operations. He did not adopt this suggestion, however, and pointed out that it was necessary, as an officer, that I carry out my duty, which had been assigned to me.

The experiments, however, were interrupted for a period of two weeks, during which Professor Gebhardt told me he had discussed the matter at Berlin and was instructed to carry on the experiments, using Polish female prisoners. In addition, he instructed me to increase the tempo of experiments since the Reichsartz, Dr. Grawitz, intended soon to go to Ravensbruck to test the results of the experiments. Accordingly, I went to Ravensbruck and operated on the female prisoners.

Since the infections which resulted from the first four series of experiments were not typical of battlefield gangrenous infections, we communicated with the Hygienisches Institute der Waffen SS to determine what steps could be taken more nearly to simulate battle-caused infections. As a result of this correspondence and a conference at Hohenlychen presided over by Professor Gebhardt, it was decided to add tiny fragments of wood shavings to the bacterial cultures, which would simulate the crust of dirt customarily found in battlefield wounds.

As a result of this conference, three series of operations were performed, each involving ten persons, one using the bacterial culture and fragments of wood, the second using bacterial culture and fragments of glass, and the third using the culture plus glass and wood.

About two weeks after these new series were begun, Dr. Grawitz visited Ravensbruck. Professor Gebhardt introduced him to me and explained to him the general nature of the work. Professor Gebhardt then left, and I explained to Dr. Grawitz the details of the operations and their results. Dr. Grawitz, before I could complete my report on the procedures used and the results obtained, brusquely interrupted me and observed that the conditions under which the experiments were performed did not sufficiently resemble conditions prevailing at the front. He asked me literally, "How many deaths have there been?" and when I reported that there had not been any, he stated that that confirmed his assumption that the experiments had not been carried out in accordance with his directions.

He said that the operations were mere fleabites and that since the purpose of the work was to determine the effectiveness of sulfanilamide on bullet wounds it would be necessary to inflict actual bullet wounds on the patients. He ordered that the next series of experiments to be undertaken should be in accordance with these directions. That same evening, I discussed these orders of Dr. Grawitz with Professor Gebhardt and we both agreed that it was impossible to carry them out, but that a procedure would be adopted which would more nearly simulate battlefield conditions without actually shooting the patients.

The normal result of all bullet wounds is a shattering of tissue, which did not exist in the initial experiments. As a result of the injury, the normal flow of blood through the muscle is cut off. The muscle is nourished by the flow of blood from either end. When this circulation is interrupted, the affected area becomes a fertile field for the growth of bacteria; the normal reaction of the tissue against the bacteria is not possible without circulation.

This interruption of circulation usual in battle casualties could be simulated by tying off the blood vessels at either end of the muscle.

Two series of operations, each involving ten persons, were begun following this procedure. In the first of these, the same bacterial cultures were used as were developed in the third and fourth series, but the glass and wood were omitted. In the other series, streptococci and staphlococci cultures were used.

In the series using the gangrenous culture a severe infection in the area of the incision resulted within 24 hours. Eight patients out of ten became sick from the gangrenous infection. Cases which showed symptoms of an unspecific or specific inflammation were operated on in accordance with the doctrine and manner of septic surgery. The doctrine of Lexer formed the basis for the procedure. The technique is that an incision in the area of the gangrene is made from healthy tissue to healthy tissue on either side. The wound and the corners of the fascia (the fibrous covering of the muscle) were laid open, the gangrenous blisters swabbed, and a solution of H_2O_2 (hydrogen peroxide) was poured over them. The inflamed extremity was immobilized in a cast. With most patients it was possible to improve the gangrenous condition of the entire infected area in this manner.

In the series in which banal cultures of streptococci and staphlococci were used, the severe resultant infection with accompanying increase in temperature and swelling did not occur until seventy-two hours later. Four patients showed a more serious picture of the disease. In the case of these patients, the normal professional technique of orthodox medicine was followed as outlined above, and the inflamed swelling split. Due to the slight virulence of the bacteria it was possible in the case of all patients except one to prevent the threatened deadly development of the disease.

The incisions were made on the lower part of the leg only in all series to make an amputation possible. It was not made on the upper thigh because then no area for amputation would remain. However, in the series the inflammation was so rapid there was no remedy and no amputations were made.

Since after the tying up of the circulation of the muscles, a very severe course of infection was to be expected, five grams of sulfanilamide were given intravenously in the amount of one gram each, beginning one hour after the operation. After the wound was laid open to expose all its corners, sulfanilamide was shaken into the entire area and the area was drained by thick rubber tubes.

The infection normally reached an acute stage over a period of three weeks, during which time I changed the bandages daily. After the period of three weeks the condition was normally that of a simple wound which was dressed by the camp physicians rather than by me.

The procedure prescribed for the post-operative treatment of the patients was to give them three times each day one cc of morphine, and when the dressings were changed, to induce anesthesia by the use of evipan. If evipan could not be given because of the condition of the patient, morphine was used.

In all the series of experiments, except the first, sulfanilamide was used after the gangrenous infection appeared. In each series two persons were not given sulfanilamide as a control to determine its effectiveness. When sulfanilamide and the bacteria cultures together were introduced into the incision no inflammation resulted.

I do not remember exactly how many people were subjected to the sulfanilamide experiments. So far as I can remember, there were six series of experiments, each involving approximately ten persons. I remember positively, however, that deaths occurred only in the last two series. One of the patients in the banal culture series died, and three persons died of an acute gangrenous infection.

After the arrival of Doctor Stumpfegger from general headquarters in the fall of 1942, Professor Gebhardt declared before some of his co-workers that he had received orders to continue with the tests at Ravensbruck on a larger scale.. In this connection, questions of plastic surgery which would be of interest after the end of the war should be clarified. Doctor Stumpfegger was supposed to test the free transplantation of bones. Since Professor Gebhardt knew that I had worked in preparation for my habilitation at the university on regeneration of tissues, he ordered me to prepare a surgical plan for these operations, which after it had been approved he directed me to carry out immediately. Moreover, Doctor Koller and Doctor Heissmeyer were ordered to perform their own series of experiments. Professor Gebhardt was also considering a plan to form the basis of an operative technique of remobilization of joints. Besides the above, Doctors Schulze and Schulze-Hagen participated in this conference.

Since I knew Ravensbruck I was ordered to introduce the new doctors named above to the camp physician. I was specially directed to assist Doctor Stumpfegger, since he as physician in the staff of Himmler probably would be absent from time to time.

I had selected the regeneration of muscles for the sole reason because the incision necessary for this purpose was the slightest. The operation was carried out as follows:

Evipan and ether were used as an anesthetic, and a five centimetre longitudinal incision was made at the outer side of the upper leg. Subsequent to the cutting through the fascia, a piece of the muscle was removed which was the size of the cup of the little finger. The fascia and skin were enclosed in accordance with the normal technique of aseptic surgery. Afterwards a cast was applied. After one week the skin wound was split under the same narcotic conditions, and the part of the muscle around the area cut out was removed. Afterwards the fascia and the sewed-up part of the skin were immobilized in a cast.

Since Professor Gebhardt did not ask me any longer for these operations, I discontinued them.

Only one female patient was operated on whose wounds healed under normal aseptic conditions.

As a disciple of Lexer, Gebhardt had already planned long ago a free heteroplastic transplantation of bone (a transplantation of a bone from one person to another person). In spite of the fact that some of his co-workers did not agree, he was resolved to carry out such an operation on the patient Ladisch, whose shoulder joint (scapula, clavicle, and the head of the humerus) was removed because of a sarcoma.

I and my medical colleagues urged professional and human objections up until the evening before the operation was performed but Gebhardt ordered us to carry out the operations. Doctor Stumpfegger, in whose field of research this operation was, was supposed to perform the removal of the scapula (shoulder blade) at Ravensbruck, and had already made initial arrangements therefor. However, because Professor Gebhardt required Doctor Stumpfegger to assist him in the actual transplantation of the shoulder to the patient Ladisch, I was ordered to go to Ravensbruck and perform the operation of removal on that evening. I asked Doctor Gebhardt and Schulze to describe exactly the technique which they wished me to follow. The next morning I drove to Ravensbruck after I had made a previous appointment by telephone. At Hohenlychen I had already made the normal initial preparation for an operation, namely, scrubbing, etc., merely put on my coat, and went to Ravensbruck and removed the bone.

The camp physician who was assisting me in the operation continued with it while I returned to Hohenlychen as quickly as possible with the bone which was to be transplanted. In this manner the period between removal and transplantation was shortened. At Hohenlychen the bone was handed over to Professor Gebhardt, and he transplanted it, together with Doctor Schulze and Doctor Stumpfegger.

Subsequent to the foregoing test operations (gangrenous infection) I had impressed on Professor Gebhardt that now we had results which would justify their cessation. I ceased to operate, and later on I did not receive any order to continue with the operations. I did not carry out another order for Doctor Stumpfegger, who was absent at that time, to continue his work.

My behavior towards all patients was very considerate, and I was very careful in the operations to follow standard professional procedure.

In May 1943 at the occasion of the fourth conference of the consulting physicians of the Wehrmacht a report was made by Professor Gebhardt and myself as to these operations. This medical congress was called by Professor Handloser, who occupied the position of surgeon general of the armed forces, and was attended by a large number of physicians, both military and civilian.

In my lecture to the meeting I reported the operations in an open way using charts which demonstrated the technique used, the amount of sulfanilamide administered, and the condition of the patients. This lecture was the center of the conference. Professor Gebhardt spoke about the fundamentals of the experiments, their performance, and their results, and asked me then to describe the technique. He began his lecture with the following words:

"I carry the full human, surgical, and political responsibility for these experiments."

This lecture was followed by a discussion. No criticism was raised. I am convinced that all the physicians present would have acted in the same manner as I.

Subsequent to my repeated urgent requests, I went to the front as surgeon immediately after this conference. Only after I was wounded did I return as a patient to Hohenlychen. I never entered the camp Ravensbruck again. I protested vigorously against these experiments on human beings, endeavored to prevent them, and to limit their extension after they had been ordered. In order not to be forced to participate in these experiments, I repeatedly volunteered for front-line service. Insofar as it was in my power, I have tried to dissuade Doctor Koller and Doctor Heissmeyer from performing these experiments. I declined habilitation at the University of Berlin because I felt that it might result in my being obliged to carry on additional experiments at Ravensbruck. Since I succeeded in scientific discoveries of the highest practical importance, that is, the solution of the cancer problem and its therapy, I have not communicated this fact to Professor Gebhardt and have not published this work in order not to be ordered again to carry out experiments.

[signed] Fritz Fischer

Subscribed and sworn to before me this 21st day of November 1945.

[signed] John J. Monigan, Jr.
MAJ CAC

AFFIDAVIT of Generaloberst Franz HALDER

Nurnberg, Germany
22 November, 1945

I, Franz Halder, being first duly sworn, depose and say as follows:

That, on the 1st day of April 1938, I took over in the Supreme Command of the German Army the position of First Quartermaster General, responsible for working out plans for operations under the direction of the Chief of Staff. In this position, I succeeded General von Manstein, which position was under the then Chief of Staff of the German Army, General Beck.

I, furthermore, state and say that, on the 11th of March 1938, at midday, General Beck ordered me to report to the Headquarters of the Fuehrer and there act as liaison officer for the Army during the impending invasion of Austria; that, on the following day, to-wit the 12th of March 1938, I accompanied Hitler in the aforesaid capacity to Munich. Later the same day, Hitler, following the German troops, entered into Austria.

I, furthermore, state and say that, during the month of March 1938, I officially learned that plans already existed for the military measures that could be subsequently taken against Czechoslovakia. During May 1938, a written order came down from OKW ordering certain military measures to be adopted in support of political pressure that was then being applied on Czechoslovakia. These orders were carried out under the direction of General Beck, by order of General von Brauchitsch.

General Beck strongly objected to the policy of waging war against Czechoslovakia for, he said, such a policy would cause Germany to become involved in conflict on two fronts. I recall further that in May or June 1938, General Beck drew up a memorandum directed to General von Brauchitsch, which said as follows: "The German General Staff is opposed to any policy which would lead, or cause, Germany to be involved in aggressive war against either France or Czechoslovakia". General Beck then submitted the memorandum to von Brauchitsch. Von Brauchitsch called in the Commanding Generals of Army Corps and they all agreed unanimously, and without any reservation, with Beck's objections to Germany being involved in an aggressive war against France, Czechoslovakia, or any nation. Hitler heard of this memorandum prepared by General Beck and demanded of von Brauchitsch that the memorandum be brought to Hitler and its contents made known to him. Von Brauchitsch must have shown the memorandum to Hitler, for, subsequently, on two occasions, Hitler, in conversation with me, referred to it when he spoke of the stupidity and resistance of the German General Staff against him.

I, furthermore, state and say that, toward the end of May 1939, there was a conference called by Hitler of the Chiefs of the components of the armed forces of Germany, the Chiefs of Staff, and there he, Hitler, ordered that the armed forces of Germany would have to hold themselves ready to support with their weight of arms his political pressure that he would apply against Poland. He declared that "The Armed Forces must so apply military pressure to Poland in order that the climax of such pressure could be reached in the late summer of 1939". This was the same order as Hitler issued concerning Czechoslovakia but, in the case of Czechoslovakia, the climax of military pressure applied had to be reached on the 1st of October 1938.

I, furthermore, state and affirm that Adolf Hitler, in speaking in my presence concerning treaties and his opinion of Allies said as follows: "Treaties for me are significant only so long as they are useful to my intentions". In regard to Allies, Hitler said as follows: "Allies are divided into three types—*a*. Those with whom I would enter into an alliance for my own purpose only and which I would let fall if they were of no further use to me; *b*. Those Allies with whom there exists an inter-connection but which alliance with them I would let fall if the necessity arose; and *c*. Those Allies for whom I would die" (This type of allies did not exist for Adolf Hitler.)

I, furthermore, state and affirm that towards the end of September 1939, there was a conference held by Adolf Hitler whereat the chiefs in command of all the branches of the armed forces and their chiefs of staff, i.e. OKM (Raeder), OKL (Goering); OKH (Brauchitsch); OKW (Keitel) attended and, at this conference, Hitler made known his intentions to attack France. He elaborated that the alleged neutrality of Belgium could not be respected by him because such a neutrality did not exist in fact. As reasons Hitler gave the following: "Belgium has improved her territorial fortifications only on the German side and not on the French side. The assembly of the French motorized troops and massing of the British Expeditionary Force is without doubt taking place on the Northern Frontier of France. I have definite proof that there has occurred between Belgium and France discussions between their Chiefs of Staff with a view to military cooperation". During this conference, Holland was discussed in the following terms by Hitler: "That part of Holland that lies between Belgium and Germany, the Maastrichter Zipfel (the

Maastrict tip) I cannot respect the neutrality of this particular part of Holland but I will rectify that politically with Holland".

I, furthermore, state and affirm that during the month of October 1939, in fact during the first part of October, another discussion took place concerning the violation of the neutrality of Belgium and Holland, at which discussion Hitler made the following remark: "I emphasize anew that Belgium must be regarded as an enemy power because of her close collaboration with France which I consider is already proven. Under no circumstances shall the allies be permitted to enter Belgium first because Belgium is the outlying area to the Ruhr district and the Ruhr district is of vital importance to Germany. Especially, it will be impossible to have air raid warning systems or air defense systems of the Ruhr area without first having control of Belgium; the same thing is applicable to the Eastern part of Holland. I therefore propose to occupy Holland up to the Grebbe Line".

I, furthermore, state and affirm that on the 5th of November 1939, General von Brauchitsch had a discussion with the Fuehrer. After this discussion, von Brauchitsch informed me that he had made known to Hitler his reasons for being in opposition to Hitler's intention to conduct the attack against Belgium and Holland in the Autumn. Von Brauchitsch informed me that Hitler made an ugly scene. On the same day, towit 5 November 1939, Hitler gave out the order in defiance of von Brauchitsch, that the date of readiness for the attack against Belgium and Holland and France would be the 12th of November 1939. This order, however, was recalled two days later.

I, furthermore, state and affirm that in March 1941, before the start of the Russian campaign which happened in June of that year, Hitler called the Chiefs of command of the three parts of the armed forces and also high commanders to a conference in the Armed Forces' Chancery. At that meeting, Hitler first gave us the reasons for his resolution to attack Russia. In that conference, Hitler said as follows: "The aggressive intentions of Russia have been proved by the Bolshevistic claim to world rulership and to world supremacy and Russia's tendency and attitude toward Finland: Russia's policy in the Balkans and the age-old policy of Russia in the Dardanelles (Hitler had reference here to the last visit of Molotov). Russia has continuously been strengthening her forces along the demarcation line which separates us from Russia. We must count on an attack by Russia as a certainty. Furthermore, there exists secret agreements between Russia and England and, because of these secret agreements, England has rejected Germany's peace offers. Russia is the last resort that England has on the Continent and we therefore have to anticipate Russia's attack against us". His talk concerning Russia continues as follows: "The war against Russia will be such that it cannot be conducted in a knightly fashion. This struggle is a struggle of ideologies and racial differences and will have to be conducted with unprecedented, unmerciful, and unrelenting harshness. All officers will have to rid themselves of obsolete ideologies. I know that the necessity for such means of waging war is beyond the comprehension of you Generals but I cannot change my orders and I insist absolutely that my orders will be executed without contradiction. The Kommissars are the bearers of those ideologies of Russia and are directly opposed to National Socialism. Therefore they the Kommissars, will be liquidated. For the German soldiers who are guilty in this fight of breaking international law, provided that breaking of civil law, such as murder, rape or robbery are not involved, then their breach of international law shall be excused. Russia has not participated in the Hague Convention, therefore has no rights under it. Russia has proved that she will not recognize members of the SS and the German Police as members of any German military organization". When this talk given by Hitler was over, listeners on the part of the army were of course outraged by this speech of Hitler's and some officers turned to Field Marshal von Brauchitsch and gave expression to their feelings concerning it. Von Brauchitsch then assured them that he was going to fight against this resolution and that the order as given by Hitler could not be executed in their form. Immediately after the discussion, von Brauchitsch wrote down the way he understood the directives that were given by Hitler regarding the treatment of Kommissars and also regarding the type of warfare that would be employed in Russia and then submitted his notes to the OKW, with a recommendation that we, of the OKW, could never execute such orders.

Although the German General Staff included in its operational plan against Russia, the normal provisions for the care of captured prisoners, including the provision for the moving of same to the German home area, Hitler issued an order to the armies operating against Russia that no Russian prisoners would be evacuated to the German home area. The reasons were obvious. Hitler wanted no contamination of German people by the Bolshevists. I, therefore, declared that the German General Staff of OKH was not in a position to solve the Russian prisoner of war problem, for OKH then had close to a million of such prisoners of war. I informed Keitel. Keitel appreciated the tremendous problem, suddenly thrust upon OKH, and agreed to take over all Russian prisoners who were delivered to him back of the Operational boundary line. In this purpose he received part of my personnel who had been employed by me on this task. Subsequently, Keitel accepted all Russian prisoners who were delivered by OKH to him. Under Keitel's command there was organized back of the Operational line, zones or territories for the reception and care of such Russian Prisoners of War. I later made a trip to Smolensk, and while there one of the Commanders, Oberst Freiherr von Bachtelsheim, of a zone or territory created by OKW came to me and informed me of the terrible conditions under which the Russian Prisoners in his zone were forced to live. The prisoners had no roofs over their heads; they had no blankets, little nourishment, and insufficient medical care. They died; almost whole camps died of typhus. I caused a report of this to be made to General Wagner, who is now dead, and I know Keitel had this matter brought to his attention for General Wagner reported this condition to OKW.

[signed] Franz Halder
FRANZ HALDER

Certified by
CURTIS L. WILLIAMS, Col, IGD

COPY OF AFFIDAVIT I

AFFIDAVIT

Leopold Buerkner, being first duly sworn according to law, deposes and says:

1. I was a Vice-Admiral in the German Navy and a member of the OKW from June 1938 until the end of the war. My position was Chef der Abteilung Ausland (Chief of the Section of Foreign Affairs) in the Amt Ausland Abwehr (Bureau of Foreign Affairs and Intelligence) of which Admiral Canaris was the Chief. My section was directly under Admiral Canaris from June 1938 to January 1944, after that it was directly under Colonel General Jodl, and was one of four of equal status under him. My section was changed to an Amtsgruppe in 1942 with four sections. The other three sections were directed, respectively, by Colonel Pieckenbrock (Abwehr 1—Intelligence Collecting Section), Colonel von Lahousen (Abwehr 2—Commando Activity), and Colonel von Bentivegny (Abwehr 3—Counter Intelligence).

2. There were four subsections in the Section of Foreign Affairs and later on, in the Amtsgruppe (groups) there were four

sections and a headquarters staff, the latter was charged with interior administration of the section later on the groups.

a. Within the first section there were two subsections, the first of which furnished the Foreign Office and other agencies with information on the military situation and the second of which was concerned with international law.

b. The second section was concerned with liaison with the Foreign Office and dealt in the foreign affairs which concerned the armed forces. Within this section there were three subsections, the first of which informed the armed forces of the current foreign political situation, the second of which was in charge of protocol for the armed forces, and the third of which gathered news published by foreign and German news agencies.

c. The third section was the attache section of the Army. Among its duties were to take care of foreign military attaches in Berlin and the German military attaches in foreign countries and to prepare the protocol for the Army.

d. The fourth section was responsible for the reading and examining of foreign publications and extracting therefrom anything that might be of technical and military value to the armed forces.

3. During the entire time that my Amtsgruppe was under Admiral Canaris there was a conference (called a "Kolonne") each morning at 1000 conducted by Admiral Canaris and his Chief of Staff Colonel, later Brigadier General, Oster, who was subsequently executed with Admiral Canaris, with the heads of the four sections, namely, Colonel Pieckenbrock, Colonel von Lahousen, Colonel von Bentivegny and myself. At these meetings each section head gave a short report on the activities of his section and received orders from Admiral Canaris, and on these occasions orders or directives which had been given to Admiral Canaris or to any of the section heads were frequently discussed. In these discussions Admiral Canaris consistently objected to any orders or directives that were clearly in contravention of existing international law or the Geneva or Hague Conventions and stated that he would do all in his power to avoid their execution. All the section heads at the meetings agreed with him.

4. The chief of the international law subsection was at first Major Dr Tafel and then after about 1941, it was Colonel Oxé, an Air Force officer and former police officer. Under them were the following: Professor Schmitz, who died in 1943 as the result of a ski accident; Count Moltke, who was hanged after the 20th July 1944 attempt on Hitler's life; Major Reichel, Captain von Haften, who also was executed after the 20 July 1944 attempt

on Hitler's life; and Counsellor von Pfuhl. While I personally am not a jurist by training, I have dealt with questions of international law, particularly the Geneva and Hague Conventions, for a number of years and I consider that I am more versed therein than the average officer. Moreover, all of the above-named persons, with the exception of Colonel Oxé and Captain von Haften (the latter was in that subsection for only a few months), were trained jurists and were versed in the field of international law. Some of them, particularly Professor Schmitz and Count Moltke, were authorities on international law.

5. The international law subsection was charged with the duty, among others, of giving opinions on orders or directives of the OKW as to whether there were any doubts as to their conformity with international law, particularly the Geneva and Hague Conventions. These opinions were transmitted through me to Admiral Canaris, either in writing or orally, and to the best of my knowledge and belief, they were thereafter transmitted by Admiral Canaris through official channels to Field Marshal Keitel or Colonel General Jodl, or the Operational Staff of the OKW. I am convinced that Admiral Canaris transmitted these opinions because he was opposed in principle to the issuance of any orders or directives which were not in conformity with international law, particularly the Geneva and Hague Conventions.

6. I remember opinions prepared by the international law subsection on orders and directives of the OKW as to their conformity with international law, particularly the Geneva and Hague Conventions. These opinions were with respect to the following:

a. During the early part of the war, my international law subsection gave several opinions on the problem of hostages. These opinions were to the effect that the status of the hostage problem under international law was in doubt, but that hostages should not be taken because of this doubt. Later, during the second half of 1942, Count Moltke, one of my special advisors in the international law subsection, proposed to me that he make a general study of the problem of hostages as he knew that all of us, especially Admiral Canaris and myself and the members of the international law subsection, were searching for material in order to straighten out this matter. At my direction Count Moltke undertook trips to Norway, Denmark, Holland, and Paris, and also sent another officer, Captain von Haften, to Belgium and likewise to Paris. The result of this study (which was that the taking of hostages had no practical value) was set forth in a memorandum submitted to Admiral Canaris through me.

b. Admiral Canaris informed me in the Spring of 1941 that political functionaries and commissars of the Russian Army who became German prisoners of war were to be killed. I therefore know the contents of * * * [a memorandum on that subject] dated 12 May 1941, as a matter on which an opinion was rendered, at the request of Admiral Canaris, by the International law subsection of my section. This opinion was to the effect that the proposal was contrary to international law.

c. Admiral Canaris informed me in the Summer of 1942 that Russian prisoners of war were to be branded on the left buttocks with a "V". I know the contents of * * * [a memorandum on that subject] dated 3 August 1942, as the matter on which, after consideration, an opinion was rendered at the request of Admiral Canaris by the international law subsection of my section. This opinion was to the effect that the matter was contrary to international law. I learned later that such an order was never executed.

d. Admiral Canaris informed me in October of 1942 that British and American commando troops who were captured while engaged on sabotage or espionage activities were to be killed. I know the contents of Document 498–PS, dated 18 October 1942, as a matter on which, after consideration, an opinion was rendered, at the request of Admiral Canaris, by the international law subsection of my Amtsgruppe. This opinion was to the effect that the matter was contrary to the letter and spirit of international law, particularly the Geneva and Hague Conventions.

e. In the Spring of 1942, after the Dieppe raid by British troops, an order was issued by Hitler that a given number of British soldiers and officers who were captured during that raid were to be shackled. I know the contents of * * * [a memorandum on that subject] dated 21 August 1943 and * * * [a memorandum on that subject] dated 27 October 1943, as the matter on which, after consideration, an opinion was rendered at the request of Admiral Canaris, by the international law subsection of my Amtsgruppe. This opinion, in which the legal department of the Foreign Office concurred, was to the effect that even if the British had violated the Geneva Convention first by shackling German prisoners of war, as had been reported, for the Germans to institute reprisals was contrary to that Convention. I personally did all in my power to have this order withdrawn, as did Admiral Canaris, but we were unsuccessful. I heard that the Fuehrer was adamant in his refusal to withdraw the order. I then, on my own initiative, proposed to Brigadier General von Graevenitz, then chief of the prisoner of war section of the OKW, that if the order was not to be withdrawn, that the shackles at least should consist of a cord at least four feet long (which would permit every freedom of movement) and that the shackles should be placed on the British prisoners of war only for a few hours each day. I understand that the length of the cord used for shackling these prisoners was made longer but that my second suggestion, to shackle them only for a few hours each day, was not adhered to.

f. In the early part of 1945 I heard that Hitler intended to cease being a party to the Geneva Convention. I know the contents of Document C–158, dated 19 February 1945, as the matter on which I personally, after consideration, with the assistance of the international law subsection of my Amtsgruppe, rendered an opinion to the effect that the matter was contrary to the letter and spirit of international law and the Geneva Convention itself. I heard later that Hitler gave up his intention.

7. The opinions of my international law subsection to the effect that certain orders and directives were contrary to the letter and spirit of international law, particularly the Geneva and Hague Conventions have been hereinbefore mentioned. In addition, there were a number of other orders and directives discussed at the regular morning meetings between Canaris and his section heads where it was the opinion of all present that such orders were contrary to the letter and spirit of international law, particularly the Geneva and Hague Conventions, although no formal opinions thereon were requested from my international law subsection. I believe that Admiral Canaris also transmitted these opinions to Field Marshal Keitel or Colonel General Jodl, or the Operations Staff of the OKW. These opinions were with respect to the following:

a. I believe that Admiral Canaris informed his section heads in May 1941 that severe measures were to be taken against the Russian civilian population. I also believe that the contents of Document 886–PS, dated 13 May 1941, is the matter to which he referred. Admiral Canaris and all of the section heads were agreed that these severe measures were contrary to the letter and spirit of international law.

b. Admiral Canaris informed his section heads in July 1941 that all the inmates of prisoner of war camps who were Russians were to be investigated by the SIPO and SD for the purpose of ascertaining all political, criminal, or some otherwise undesirable elements among them, including Jews. Thereafter, these prisoners were to be surrendered to the SD. I recognize the contents of Document 502–PS, dated 17 July 1941, as the matter to which Admiral Canaris referred. Admiral Canaris and all of the section heads were agreed that the matter was contrary to the letter and spirit of international law.

c. Admiral Canaris informed his section heads in September 1941 that general rules for the handling of Russian prisoners of war were to be issued, wherein it was set forth, among other things, that these Russian prisoners of war were not to be considered as the usual prisoners of war, and that more severe measures were to be taken against them than was permitted by international law, particularly the Geneva and Hague Conventions. I know the contents of Document 1519–PS, dated 30 September 1941, as the matter to which Admiral Canaris referred.

8. I recall that in September of 1942, while at dinner in Paris with Admiral Canaris and another officer whose name I cannot now remember, Colonel von Lahousen arrived by plane from Berlin and joined us at the table. (I remember the incident because I made very few trips during the war and I had asked Admiral Canaris to accompany him on this particular trip.) Colonel von Lahousen, immediately upon joining us at dinner, said, in effect, to Admiral Canaris, in my presence, that a very awkward situation had arisen. Colonel von Lahousen had been asked by Field Marshal Keitel what the situation was regarding the execution of the order transmitted to him by Keitel to do away with the French General Giraud. That was the first I had heard of such an order. Admiral Canaris appeared to think over Colonel von Lahousen's words and then said, in effect, that the matter had been in order for some time and that he would report to Field Marshal Keitel that he had told Heydrich that he (Heydrich) should deal with it. At that time, Heydrich, former head of the RSHA, was dead. It is my opinion that Admiral Canaris concocted the story (that the matter of executing General Giraud had been turned over to Heydrich) because Admiral Canaris knew that Heydrich was dead and that this would be a means of avoiding the carrying out of the order, to which Admiral Canaris was opposed on principle.

9. I further recall that toward the end of 1940 at one of the regular morning meetings between Admiral Canaris and the section heads, Admiral Canaris stated that an oral order had been transmitted to him by Field Marshal Keitel to do away with the French General Weygand, and that Colonel von Lahousen would assume the carrying out of the order. All the persons present expressed abhorrence about this order, and I recall a statement of, I believe, Colonel von Lahousen's to the effect that they were not murderers but soldiers, and that the execution of such an order was out of the question. Admiral Canaris was then asked

by, I believe, Colonel Pieckenbrock, to go downstairs to Field Marshal Keitel and tell him that we are not a murder organization, we are soldiers. I am convinced that Admiral Canaris found a means to avoid executing the order.

10. I believe that some of the opinions which were requested by Admiral Canaris of my international law subsection, for example, that relating to the shackling of British prisoners of war, were originally requested by Field Marshal Keitel, Colonel General Jodl or the Operational Staff of OKW in order that they would have material at their disposal with which to counteract orders which were inspired by Hitler or the Nazi Party and that were in contravention of international law, particularly the Geneva and Hague Conventions.

I declare herewith that the above statements are given under oath and are true to the best of my knowledge and belief, and that they have been made voluntarily and without coercion.

[signed] Leopold Buerkner
LEOPOLD BUERKNER

Sworn to and signed before me on 22 January 1946 in Nurnberg, Germany.

[signed] Smith W. Brookhart, Jr.
SMITH W. BROOKHART, JR.,
Lt Colonel, IGD

TRANSLATION OF AFFIDAVIT J

AFFIDAVIT

I, Erhard Milch, being first duly sworn according to law, do depose and say:

On 19 July 1940 I was commissioned General Field Marshal and since March 1933 I was State Secretary in charge of the Air Ministry. From November 1941 I had the technical supervision of the production and the testing of aircraft. In addition to my duties as State Secretary in the Air Ministry and the Inspector General, I also was, since the death of Udet, General Luftzeugmeister.

In 1942 I was a member of the Central Planning Commission. This commission was an organization appointed by Hitler to distribute raw materials such as steel, copper, coal, etc. among the several industries producing war materials and civilian consumer goods. Its principal function was the allocation of raw materials to the Air Force, the Army and the Navy.

The Commission was not within the framework of the Four-Year Plan although one of the members, Koerner, was deputy to

Goering in the Four-Year Plan and acted for him on the Commission. The other members of the Commission were Albert Speer and myself and later Minister Funk. The initiative for the formation of the Central Planning Commission came from Speer so far as I know, and Speer told me that he had made representations to the Fuehrer that it would be impossible to carry out his task as Minister of War Production unless such a commission was created.

The normal activity of the Commission in allocating raw materials to industry was to evaluate requests received from the various representatives of the armed forces and to determine which were essential and which had priority. A similar concept was followed for fertilizer and all technical requirements for agriculture and civilian consumer goods. There was no review of the decisions of the Central Planning Commission except Hitler himself. If a person was dissatisfied with its determination as to allocation and he was able to take the matter up with Hitler, then Speer and occasionally I or both of us would be called before Hitler to explain the decision and then Hitler would decide whether the complaining person or the Commission was correct.

Sauckel was appointed by Hitler as Plenipotentiary for Labor Allocation. (RGBL IS 179). The Commission was created by the Fuehrer on 2 April 1942. The relation between the Commission and Sauckel concerning the allocation of labor was never altogether clear. We, of course, were only interested in labor for armament production. Sauckel felt, that by reason of the authority given him by the Fuehrer as Plenipotentiary for Labor Allocation, he had complete control, both of obtaining workers necessary for all production in Germany, and of allocating laborers as between the armament industry, agriculture, and civilian production even down to the smallest factory. Despite the compulsory labor law in Germany and the compulsory labor service in the occupied countries under which foreign workers were removed to Germany, all the demands for workers could not be met. So far as I know, Sauckel had the overall coordination of manpower requirements for production in Germany.

The fact that laborers came from the occupied countries and were transported into Germany for work was a matter of common knowledge and certainly was well known to the Central Planning Commission. When the several industries engaged in war production presented their labor requirements, the Commission would consider the reasonableness of the request, its priority, and if the requirement could not be met informally by agreement or from personnel already employed in other war industries, a demand would be made on Sauckel for the desired number of workers.

In the framework of the Armament Ministry a Labor Allocation Section was maintained for the sole purpose, so far as I know, to keep statistics concerning the requirements of the individual industries for labor. It is my opinion that, this section controlled the requirements of the industries under Speer's ministry and was the channel through which requests for workers passed from the industries themselves to the Planning Commission and approved requests from the Commission to Sauckel.

So far as I know, Sauckel had complete authority over the supply of labor both from Germany itself and from the occupied countries. The methods which were employed to fill quotas and the assignment of quotas to the several occupied countries fell within the responsibility of Sauckel. Speer demanded workers from Sauckel and Sauckel supplied them insofar as possible. I do not know the details of how the quotas were filled once they were assigned by Sauckel but I believe it was the result of arrangements which he made with the civil and military authorities in the respective countries.

Sauckel from time to time complained to us in the Commission of the increasing difficulty in meeting the demands for more workers and emphasized that the task became more difficult as the war progressed.

Once the workers arrived in Germany and were allocated to an industrial establishment, their welfare and care was under the control of the individual factory and the DAF. Foreign workers as well as German workers were employed in all factories in accordance with their respective skills.

Speer as chief of the Armament Ministry not only had control over the industries producing material for the armed forces but had also the Organization Todt. All of these industries had to use foreign workers as did the OT. Speer was given by the Fuehrer the mission of maintaining the necessary production of war materials and to carry out that task it was necessary for him to obtain sufficient workers to maintain that production.

Speer, the Central Planning Commission, and Sauckel all were concerned with obtaining workers who were able to work. The Commission, although it was not its responsibility, obtained from the Minister of Agriculture additional food for foreign workers.

Sauckel reported to the Planning Commission that there were persons in the occupied countries who were subjected to conscription by the French Government for labor in Germany, and who attempted to avoid it. In order to carry out the program, it was necessary to fulfill as nearly as possible the quotas of laborers which were demanded by the industries.

I have no direct knowledge of any particular incidents in which workers were rounded up by force by representatives of local labor offices in the occupied countries.

[In Milch's handwriting] I understand written English as set forth above.

[signed] MILCH

Subscribed and sworn to before me this 23rd day of January 1946.

[signed] Smith W. Brookhart, Jr.

[THE *LACONIA* CASE AND GERMAN SUBMARINE WARFARE BY KARL DOENITZ *]

7 October 1945

In my interrogation on 6 October (*Laconia* case etc.) you said n essence that the entry into the War Diary of the BdU (Commander of the Submarine Fleet) (of the 17 September 1942, I believe) was rather strange.

This entry found its origin in the happenings of the *Laconia* case, during which German U-boats in their efforts to save the enemy were attacked by the enemy from the air with bombs, were damaged, and were meant to be destroyed.

Then the rescue in reality contradicts any "primitive law of warfare"—as it is, I believe, expressed in the War Diary of the BdU, even the simplest way of self-preservation.

The entry into the War Diary perhaps is not very fortunate. At that time—out of the whole situation—it seemed to be clear enough. Whoever entered it at the time I don't know. I am responsible.

The name of the Corvette Commander Hessler came before you n this connection. Corvette Commander Hessler was that one on my staff who in the *Laconia* case declared himself in favor of the furthest-reaching rescue measures, even with the risk of the U-boats not being clear for diving, and who knew better only after the bombing-raids had taken place. He was, accordngly, in outspoken favor of the rescue attempt.

As an appendix to the interrogation of the 6 October 1945, I would like to express myself once more in connection with the *Laconia* case and the wireless order in which it resulted.

1. The War Situation in 1942.

In the later summer of 1942 the German U-boats, in their mass, fought strongly protected convoys in the North Atlantic, or close to the North or Central American Coasts at the main points of traffic under strong American air and sea reconnaissance.

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* This and the following statements have been selected as the most sigificant among the numerous communications from various defendants and witnesses before and during the course of the trial. In most cases the tatements, although addressed to the prosecution, were volunteered by the writers. Irregularities in the language of these statements, which have been ranslated from the German, are in part the result of illegibilities in the riginal handwritten version, and in part are the accurate reflection of tenativeness of thought or incompleteness of expression in the original. Cerain of these statements, which are essentially technical or historical in naure, bear the indicia of truthfulness. In judging the credibility of others which are concerned with issues raised by the Indictment, it must be borne n mind that they have been subjected to none of the customary safeguards f truthfulness, such as jurat or cross-interrogation, and bear in many places he marks of a self-serving purpose.

Anglo-American security was speedily growing through aircraft in all these sea-areas.

Aid for the ships' crews after torpedoing depended upon the Anglo-American sea and air security. The German U-boats, because of the security of the enemy, had no possibility of helping. English U-boats in the Mediterranean and along the Norwegian coast fought under weaker, but similar enemy security conditions. They also, naturally, were unable to burden themselves with the ships' crews.

2. At this time in a more distant sea-area near Freetown in September '42 the sinking of the English ship *Laconia* took place. The U-boat reported numerous survivors; it itself was participating in the rescue. After that, I have sent several U-boats within a distance of 100 sm, to help at the place of rescue, in interruption of their military task. Between 1 and 2 U-boats, which were situated still further, reported from themselves, that they had interrupted their operations and were proceeding to the place of rescue.

The U-boats fully participated in the rescuing, took care of the life-boats and rafts, and took numerous survivors into the U-boat and on the upper deck of the U-boat. This made them unable to dive, and only able to proceed with limited speed. One U-boat thoughtfully put a large Red Cross Flag over the tower.

3. It was under these circumstances, in the attempt to aid the ship-wrecked with all possible means, that the U-boats were attacked by low flying American bombers; one U–boat was heavily damaged with the loss of lives.

4. In spite of that, I did not stop the rescue afterwards. I gave the order (or even before the attack) that the U-boats had to remain clear for diving. They were, accordingly, to put the men back on the rafts and into the life boats, remain in the vicinity, and take care of them. I would send a French cruiser, to which those survivors still remaining on the U-boats were to be turned over, and the cruiser was to be led to the life-boats.

The French cruiser arrived. The U-boats acted according to orders. No Anglo-American help arrived.

5. It was, therefore, with the greatest effort and expenditure from the German side that everything was done. While rescuing

the *enemy*, the U-boats, however, were attacked with bombs by the *enemy* himself, despite the very noticeable large rescue sign.

6. It contradicts every primitive sense of war when a belligerent, who out of humanitarian reasons is interested in the rescue of the enemy, and fully occupies himself in that respect—then is being destroyed himself by the enemy while he is doing that.

7. According to experience, every German U-boat in 1942, was *immediately* attacked by the Anglo-American Air Force when surfacing. The largest U-boat losses occurred already in 1942 through the Air Force. The enemy air power was strongly increasing. I was, therefore, exposed to the danger that with every rescue on the water's surface the U-boat might be surprised and attacked by enemy aircraft.

The time of a possibility of aid by the U-boats for the ships crews was therefore over.

American or English U-boats under the same enemy defense-conditions would have been unable to practice such help.

8. Therefore, it was my obvious duty to forbid the rescuing to U-boats, in order to avoid U-boat losses. In special cases I still would have been able to take a hand in affecting a change by wireless.

This prohibition took place in form of the FT [Wireless Message] of the 17 September. The order to rescue, when the security of the U-boat permitted, was insufficient, because the Commanders still had the tendency to surface, and then still could be surprised and bombed by aircraft.

9. On the other hand, *I was able* to give this order in September 1942, because *in practice it did not have any influence on the ship wrecked.* Almost exclusively the U-boat war took place in the presence of the enemy security (air and sea security), where German U-boats were unable to rescue, anyway.

For the judging of the order given by me, circumstances of the sea war conditions are therefore decisive.

10. Only because of the bombing of my U-boats in the *Laconia* case, which created a very strong impression, I issued the order for the purpose of protection already mentioned. After about two months, the order became purposeless and lost its value altogether, because any help from the U-boats because of the completely overshadowing Anglo-American airpower was made a complete impossibility. The time came when German U-boats had to remain more and more in (under) the water, until finally they could not allow themselves to be seen at all on the surface, without becoming subject to air attacks.

11. Because of that, what reason would I have had with the special intention to *cause damage to the enemy,* to give such an order in the year 1942, when I did not even have the opportunity of inflicting any damage?

12. The actions of Kapitaenleutenant [Lieutenant Commander] Eck, which have been reported to me, I condemn to the utmost and regret deeply.

I believe this is *the* spot [black mark] in the 5½ years' fighting of my U-boats. The behaviour of Kapitaenleutenant Eck cannot find any support (backing up) in the given order.

[signed] Karl Doenitz

13. Summary: The order, therefore, has come as a reaction to the *Laconia* case at a time when—

(1) The German U-boats, as a result of the Anglo-American airpower, could not rescue any more, as is shown by the *Laconia* case, without being exposed to the greatest dangers by their respective attempts.

(2) In practice the order could not be of any disadvantage toward the shipwrecked, because already at that time almost exclusively and a short time later complete U-boat warfare took place in presence of enemy security, where it was impossible for the U-boats to engage in rescue work, anyway.

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19 October 1945

Supplementary to my interrogation of October 6 and my typewritten statement of October 10 I want to say the following to clear up further the *Laconia* case and the subsequent wireless order:

1. The big danger of the Anglo-American air vigil for the German U-boat (Numbers 7 and 10 of my written statement of October 8) results from the following:

A plane makes about 100 meters per second. A U-boat on full alert needs 60 seconds to submerge from the moment the plane is sighted, including the bridge guard's entry into the turret (tower) porthole, but it has then not yet reached the depth of 80 meters required before the bomb is dropped. Thus the bridge guard must sight the plane *long before* 60 seconds times 100 meters—6,000 meters in order to be able to submerge at all, for otherwise the bombs would hit the U-boat just while submerging on the surface. Therefore the enemy plane must be sighted on the limit of the sight range. This made a quick readiness for alert on the part of the bridge guard more and more necessary; above all, there should be as few men as possible on the tower outside of the interior of the boat so as to make the entering of the turret porthole [*Turmluk*] as quick as possible.

2. Any rescue, even with the U-boat's own men on the *upper deck* of the U-boat, completely disrupts the U-boat's readiness for an alert. It means a peril far greater than the one already present as per paragraph 1 hereabove.

3. Therefore I had to forbid any rescue by U-boats, just as I have later forbidden their being emerged at all in the daytime. Also, in the latter case I did not order "Emerging by day allowed if the situation permits," but I was forced to issue a full ban in order to prevent any too optimistic and therefore false judgment. In view of the speed of the airplanes the situation in this second, just before sighting the plane is still perfectly clear for the U-boat only to become hopeless in the next moment, when the plane appears.

4. The form in which the order was given is explained by the situation in the *Laconia* case:

a. German U-boats have on their own—without orders—broken up their military mission in order to sail to far distant points of rescue. Even in rescue cases of our own, fighting comes before rescuing. Also in your Navies nobody can without orders leave the battle area and head for a distant point of rescue. Therefore our own U-boats were wrong in breaking up military operations without orders to do so.

b. To my recollection the rescue action, up to the delivery of those rescued took about four days. During this time no Anglo-American help—such as corvettes of the Freetown area—arrived at the place of rescue. I had the strong feeling that I was doing the rescue work all alone—while standing in addition under an enemy bombing attack.

c. While this case went on Adolf Hitler sent me word that no U-boats must be endangered by rescue work and none withdrawn from current operations.

6. [sic]. Thus I conducted the whole rescue action under considerable pressure of my conscience; the worry about the much endangered U-boats involved; the conviction that I was militarily wrong to expose them to bombing attacks. Despite this pressure of my conscience and the order of the Leader of the State received in the meantime, I decided to carry out the rescue action already started.

Out of this situation sprang the text of the wireless order of

September 17. Its aim was to show the difficult military aspect in contrast with our humane action.

I have already explained earlier that this order could hardly have any harmful effect on the shipwrecked, because the bulk of the U-boats was already fighting in the presence of the covering enemy and could not rescue anymore.

7. Also the entry of September 17 in the war diary can only be understood in the light of the experience of the *Laconia* case and of its consideration. If the following would be added, preceding the entry:

"Once the war situation has so developed that the German U-boat can at any time be surprised on the surface by Anglo-American planes and immediately attacked and while rescuing the enemy crew, can—as shown in the *Laconia* case—be bombed by the enemy, a rescue action would be contrary to any functioning common sense, to the most primitive law of self-preservation, and to any most primitive rule of sea warfare."

This addition should be made approximately to the entry in the war diary, for these considerations were the basis of the entry.

8. The behavior of Captain Eck was considered impossible by the German U-boat arm and was not even discussed. Naturally it occurred in no case from 1939 to the beginning of 1942, when the German U-boat was still able to show itself on the surface. I most deeply regret the isolated case of Eck. He is an outsider. I think such outsiders may turn up in any war of any nation during such widely spaced events of such long duration. Facing this single case is the great mass of cases of impeccable conduct by my U-boat commanders.

[signed] Karl Doenitz

TRANSLATION OF STATEMENT II

[A SHORT HISTORICAL CONSIDERATION OF GERMAN WAR GUILT BY ALFRED JODL]

6 September 1945

Alfred Jodl
former Chief of the Armed Forces
Operations Staff in the Army
High Command

This treatise (16 pages) is entirely my own and has been written by me personally. I ask that a *good* translation of it be forwarded to the Supreme Justice of the War Crimes Commission.

Concern above all about Germany's future and the fate of Europe has led me to write this treatise. I am not a lawyer but I know the nature of the Germans, and I know their history. As nephew also of Dr. Friedrich Jodl, teacher of philosophy at the University of Vienna, I have concerned myself with ethical and philosophical problems to a greater extent than the average officer.

[signed] Jodl

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6 September 1945

Alfred JODL
During the War:
Chief of the Armed Forces
Operations Staff in the
Army High Command

A short historical, ethical and psychological consideration of Germany's guilt for both the outbreak and during this war.

When, in the year 1918, Germany was defeated and made defenseless, it is not true that the national forces as well as the officers thought only how to undo that which had been done and how to prepare another war. There was an infinitely great readiness to overcome the pure nationalistic way of thinking through the idea of a western European league, maybe even a League of Nations. But in order to achieve that, it would have been necessary to have had, among our former enemies, a people mature and secure as to their internal political affairs as well as possessing a great statesman. But if at the outset the allied victors could not agree among themselves, then how slim indeed were the prospects for an understanding between victors and the vanquished. Crushed beneath the revolution in Germany, beneath the extortion of the Versailles dictate with all its humiliations and the nonsensical delineation of borders, crushed beneath the misery and unemployment which followed, all the young, frail grass which was ripening on the meadow of a European understanding, withered, allowing instead the seed of the NSDAP to mature.

The NSDAP was a revolutionary party, at least as much as the communist party. The three most important of its aims were: to overcome all the aspects of Marxism and with it, the idea of the class struggle; to free Germany from the spiritual, cultural and economical domination of the Jews; and to free Germany from the chains of the Versailles treaty. Besides that, the NSDAP despised more or less all civic organizations and finally also the army and its leadership. In it, the party saw an army of mercenaries which dragged even the idea of a people's army to the grave [Seckt], and at the end would only be an instrument of internal, political power of the various governments. This new party, founded by unknown people, without any means, without help from influential protectors and supporters, without the help of the press, was the enemy of everybody. According to human judgment it should never have had any success, and yet it did. One shouldn't say that this was done thanks to a clever and refined propaganda. Propaganda alone does not achieve anything unless there is a great idea or some impressive facts behind it. To explain this success, it is also unjust to say that no people allowed themselves to be more misled than the Germans. With such a great sucess that gave Hitler up to 96% of the votes, the German people would not simply have allowed themselves to be misled. There must have been deeper reasons for achieving such a success. Surely the abortive revolt of November 1923 has created the first martyrs of the new movement, and martyrs further any idea more than thousands of speeches and tens of thousands of posters. But at the end, the fact that any other party or any constellation of government was unable to achieve success in their foreign or domestic political affairs, as a result of the oppressive clauses of the Versailles treaty, led the party through a legal way to success.

There was deep wisdom and truth in a cartoon which appeared in 1936 in a great French funny paper. It was entitled:

"The cause marches in front of the effect."

It showed A. Hitler passing in review his new army in front of which marched the statesmen of our enemies of 1918. First like shadows marched the ones who have died since, followed by those still living, all of them marching in the German parade step. In front of all of them though, marched Clemenceau shouldering a rifle, and representing the Versailles treaty. This was not only my own opinion and the one of a French funny paper, but it was shared by strong personalities of almost all the countries of the world that were interested in this problem. Those who seek the truth, and only the truth, and who are not merely content to have confirmed a preconceived idea, those then, should not only look at the results while judging a fact but they should also study its cause, for the cause alone gives the moral value.

"By itself nothing is either good or bad;
the thinking alone makes it so."

Although this party came to power through the legal way of a democratic constitution, this assumption of power soon did not leave any doubts, that this was not only a change of government but a bloodless revolution. Revolutions are inexorable, and exorbitant in setting up their aims. They lack the wisdom of antiquity, the experience of tradition and the humility of an almighty destiny which is only given to real great and wise men. And so, already in the first years, many ugly shadows of this revolution came to light and perturbed great portions of the people. But was there ever a new cultural or state's structure without its evil sides?

Nobody could know as yet if this mighty progressive evolution could develop into a historical structure or would vanish in destiny. But one thing is certain, namely the achievements of the movement, and above all, of its Fuehrer in these 6 first years until 1939. Fusion of the various countries into a real Reich unity. Class opposition has been overcome. Unemployment was abolished. Overcoming of the unfruitful party oppositions of the lazy, asocial large town. Achievements in all facets of life. Care for health, for mother and child, provisions for invalids as a result of occupational injuries. The vacation facilities for the workers, and finally the solving of the most oppressing clauses of the Versailles treaty without war and in an even friendly atmosphere with England and France. These facts have given the Fuehrer the hearts and sympathies of all Germans. The reminiscence of this will always be with the people and cannot be destroyed. It will outlive all misery and time of the German fate just as much as the ideas of the French revolution could not be removed from the European way of thinking even though Napoleon ended up in exile and legitimate emperors again took his place. The admiration that foreign countries had at the time for these deeds of Adolf Hitler is best illustrated in Churchill's article of 4 Oct 1938 in which he wished that his people and government would have just a portion of the spirit of the former German corporal. *This spirit therefore cannot have been a criminal one.*

The fatality started only with the political decisions of 1939, because they led to war, the most terrible war of all times which ended with the destruction of Germany. And here the question of the German people's guilt for the outbreak of the war, arises. Was this war necessary? Wasn't there another way to satisfy Germany's legitimate claims? Wherever the German people as a whole will meet the allied court in its search for the guilt, it is to be expected that the judgment be recognized internally by the German people as being a just one, and not be rejected as being a brutal violation of the natural German conception of right.

Nothing is more important in this trial than that, because if this war is supposed to have had any purpose for the progress of mankind, it can only be this, that from it will result the appeasement of Europe, if not the appeasement of the whole world. To achieve this, the place of force which caused the war and achieved victory has to be taken in the long run by justice on the part of the victors, which justice should be recognized by *everybody.* Because otherwise men and people won't be a step farther than they were.

I can only make a small contribution to clear all the questions about the decisions of the German government in the year 1939 which ended in the occupation of Bohemia and Moravia and the attack on Poland. I was not present when these decisions were made. I can only say that much, that the decision to occupy Bohemia and Moravia seemed to me to be a break in the up-to-now so successful policy to act only in agreement with the other great nations. It was an attempt which before the Polish war was taken up again, but now naturally was condemned to fail.

Even later during the war I was unable to learn the Fuehrer's real motives for his decisions of 1939. I do not think that it was only the vain hope, on the basis of the momentary military weakness of England and the indecision of France to obtain all territorial aims east of the Reich as imagined by the Fuehrer, by such surprise maneuvers without unleashing a great war. I rather think, and I base my opinion on the remarks of the Fuehrer during this war, that his ideas in 1939 were about the following:

"In England the opposition party to Chamberlain's appeasement policy will come to power with certainty. Its aim is to throw Germany back into its former weakness. This party wants to wage war against Germany, and will do so, as soon as it has the necessary means available. Also, the bolshevism of Soviet Russia is and will remain the deathly enemy of German National Socialism. The mighty armament that Russia is preparing for 10 years now, neglecting all other needs for life, the vanguards and strong points which she has formed in most all the states of Europe through communist parties and formation of blocks of all sorts, is a proof for the great nationalistic and revolutionary aims of this country. These will lead sooner or later to a disagreement with Germany, and end in a struggle for life or death between this European conception of state on one side, and the Asiatic one on the other side. Therefore, there is no more time to lose to gain this basis which is militarily absolutely necessary to be able to wage a war such as this. And if war should already arise now, it is still better than it would be in 1943 when England, France and Russia have completed their armament with certainty."

Had he started for these reasons, or did he feel that only he, the Fuehrer, and none of his successors could finish the task of liberation that he had started? Was it for these reasons that he did not possess the quiet and patience to solve one after the other the various foreign and domestic problems and let them ripen, which would have required time? Maybe the trial will give more clarity. I myself don't know. But such as I have learned to know the Fuehrer later on, I will never believe that with his deep methodical thinking and his carefully weighing and considering of decisions, he acted only inconsiderately in 1939.

Of course, in history and especially in times of war success alone decides at the end. And this speaks against him. What is true, and what was right or wrong is decided by the victor. He will strive to picture Adolf Hitler as a ferocious beast, as had once also been done erroneously with Nero. But he was no such thing. He was much more a true German and despite all scepticism which mostly arose from a lack of sense of justice, he was an idealist and a visionary, an artistic nature. I can show through dozens of examples that it is only under the action of many disillusions of the unscrupulous fighting methods and threats of annihilation from our enemies that he became a fanatic and merciless fighter for his people as the enemy propaganda represented him from the beginning.

The operational decisions which the Fuehrer took during the war, and which dragged a number of neutral states into the war, came all under the highest right which exists so far in the world for a people fighting for life or death: *the "state of distress right"* [*Notstandsrecht*]. Every people would accuse their government of crime if it would not take all measures or decisions that are or appear necessary to achieve victory or prevent defeat.

Whenever the German government has attacked during this war neutral or at least formal neutral countries, it was *only* done because the German government was convinced that these countries either through their own volition or perhaps through necessity or force would be used as English operational bases, or that these countries, like in the case of Soviet Russia, were in instance of attacking Germany.

England and America too have acted in the same manner in moments that were much less decisive for the outcome of the war (attack on the French fleet in Oran, conquering of Syria, American landing in North Africa against resistance of French troops).

Therefore one will not find any feeling of guilt in the German sense of justice, for these actions of the Fuehrer.

I have tried throughout the war to listen constantly to the unaltered "vox populi" through my own family and through acquaintances which are composed of people from all circles and most varied camps. The complaints and accusations were always only directed, next to much unlimited praise (for instance: food supply, finance, price administration, community achievements of all sorts), against the following:

Those whose conduct and actions were not in accordance with their talks and especially with the most important watchword of this state: public safety comes before one's own profit. Against those too who were making personal profits through the misery and the war or who worshipped desires of sovereignty. Against the multiple disregard of the most primitive human rights. Against the absence of any possibility to complain against encroachments of all kinds, that is to say, a lack of real jurisdiction above all parties. Against the complete disappearance of men (for instance Jewish partners of mixed marriage), of whom nothing is being heard anymore. Also against the lack of protection from the enemy's terror attacks. But never were there complaints against the war itself or the way it was being conducted. For the mass of the people considers war as fate just like sickness and death. People never influence its outbreak and have no insight whether it was unavoidable or not. No people loves war, not even the German people. And if it has gone, just like France or England, through more wars than the American people, it is not because it is more war-loving than the Americans, but merely on account of its longer history and its central geopolitical location in the heart of Europe, where religious, ideological, racial and political differences raged strongest. The wars that America had to wage, it waged for its liberty and independence and for its states' union. Besides that, though, there were also wars not necessary for its existence as the one of 1917-18. If therefore one wants to blame the German people as a whole, then only for its wilful electing of a regime and a man of whom they must have known, that he was determined to use force in order to regain for his people the lost liberty and to give it the means for development which it had possessed in the great times of German history.

And with this I come back to the starting point of my treatise: the Versailles treaty.

The German people have gone this way because they did not see any other possibility. It finally chose and nominated Adolf Hitler as its leader after an almost 10 year hectic struggle of votes and opinions, with reservations and doubts and the old instinctive knowledge that brilliant meteors are signs of coming disaster.

[signed] Jodl

TRANSLATION OF STATEMENT III

THE ORIGIN OF THE DIRECTIVES OF THE SUPREME COMMANDER OF THE ARMED FORCES

15 Sept 1945

W. Keitel
Field Marshal a.d. (retired)

I. For the military operations in Austria, Czechoslovakia and furthermore in the campaign against Poland, the Fuehrer, as Supreme Commander of the Armed Forces, gave his instructions, directives, and orders to the Commander-in-Chief of the Army directly and verbally, as practically only the Army, with a certain amount of support of the Air Force, participated or was employed. The High Command of the Army (Commander-in-Chief and Chief of the General Staff) wished to confer with the Fuehrer directly; "directives," which would be addressed to the Army alone, they rejected as unnecessary.

Proceedings in the Polish campaign were also similar in principle. The Army demanded the collaboration of the Air Force; the Navy received special orders verbally.

II. Only with the preparation for and commencement of the war in the west, in which the Navy and the Air Force were participating on a large scale, already before the beginning of the land operations, were the orders—together with the verbal instructions—of the Commander-in-Chief of the Armed Forces, gradually carried out by directives and executed by the Supreme General Staff of the High Command of the Armed Forces (OKW).

III. For the origin of such directives of the Supreme Commander of the Armed Forces, 4 cases must be differentiated.

a. Case 1. For the *preparation* of military operations in the form of operational and deployment plans, and for the possible introduction and start of military measures concerning organization, war economy, and operations, the Fuehrer, as Supreme Commander, gave the *orders* on *his own initiative* and at his own discretion for further instructions, which were then issued in his "directives."

b. Case 2. During the course of military operations the "directives" were the result or effect of the daily situation reports, from which arose the necessity to intervene by orders or to issue new instructions for the carrying on of the operations of the branches of the Armed Forces and for their collaboration.

c. Case 3. The Commander–in–Chief of the branches of the Armed Forces, on one or other of them, requested on his own account new instructions for himself or in connection with his cooperation with the others, which occurred more often with regard to the Navy and the Air Force.

d. Case 4. From the daily cooperation of the Supreme General Staff [*Wehrmacht Faehrungsstab*] with the General Staffs of the Army and the Air Forces as well as the Naval Command, there resulted obscurity, contrary interpretations, or other inconsistencies which had to be clarified or corrected by orders, that is, directives. If an understanding could not be reached by the Supreme General Staff, a decision or a "directive" by the Fuehrer was then necessary, as even the *Chief of the High Command of the Armed Forces* had *no authority* over the branches of the Armed Forces.

IV. In *Case 1* the Fuehrer asked me as Chief of the High Command of the Armed Forces to come to him with General Jodl (Chief of the Supreme General Staff). He (the Fuehrer) gave his interpretation of the situation according to present circumstances, and then gave the precise order to work out a "directive," which was then drawn up after repeated revision, correction, and recasting wherever possible. The recasting was carried out by General Jodl.

Case 2. During operations in any theatre of war, reports *regarding the military situation were* given *twice daily* to the Fuehrer personally, once at noon up to the end of the preceding day, once late in the evening or early in the night regarding supplementary occurrences during the day. *General Jodl, Chief of the Supreme General Staff, gave them situation reports.* Only if the Commanders-in-Chief of the branches of the Armed Forces or their Chiefs of Staff, or Commanders-in-Chief of the fronts or theatres of war were present, did the Fuehrer, in most cases, ask for a report of their area.

From these daily reports of General Jodl resulted automatically the discussions between the Fuehrer and him regarding possible necessary interventions, amended orders, instructions *to the other branches of the Armed Forces (e.g. Air force) etc.* From these discussions and the considerations resulting therefrom, arose naturally the necessity for orders in the form of "directives." Then, *after* the situation report, General Jodl gave the instructions, verbally or by notices, to the Deputy Chief of the Supreme General Staff (Chef L) to work out a "Fuehrer-directive," if the Chef L (deputy of General Jodl) had not himself attended General Jodl's situation reports—as later arranged by me—and thus himself heard the wish of the Fuehrer.

Since the Fuehrer had himself also taken over the Chief Command of the Army on the *Eastern Front,* the Chief of the General Staff of the Army on the Eastern Front reported daily. Moreover, the situation reports, liaison, and connection with the branches of the Armed Forces and the theatres of war, the elaboration of all orders and directives of the Fuehrer, remained the task of the Chief of the Supreme General Staff of the Armed Forces, General Jodl. The Fuehrer discussed all these questions of the conduct of the war with General Jodl *direct,* though almost without exception in my presence. When for any reason I was absent, not only Jodl but also the Fuehrer himself informed me concerning the orders he had given to General Jodl. If not forced to be absent on service duties, I was present at every situation report, and so was informed of the instructions and wishes of the Fuehrer. I participated rarely in the discussions *unless requested by the Fuehrer;* otherwise he did not wish me to express my opinion in this circle. When my opinion differed or when I wished to make suggestions, I went to the Fuehrer and talked to him alone, and exceptionally with Jodl.

Case 3. The Fuehrer decided during the situation report whether a "directive" should be drawn up or whether he wished to inform the respective officers commanding [*Oberbefehlshaber*] verbally himself.

Case 4. The chief W. F. St. (General Jodl) was informed verbally or by a written note regarding the matter. He then decided whether and in which form and in which direction a "directive" should be drawn up. He himself then reported to the Fuehrer regarding the "directive," explaining the reason for its origin, after I had been informed.

V. The "directives" were examined very critically by Hitler, not only the facts but also concerning style, and changed before he signed them, for corrections.

In many cases I saw them only at the same time as the Fuehrer, or immediately before the report was made. Initialled them "K," so it was on file that I always knew of the "directives."

I only suggested changes or different points of view *before* the Fuehrer had indicated to General Jodl his authoritative decision (my discussion alone with him) or *when Hitler expressly asked me.*

The Fuehrer wished to make the decision alone, he wished himself to lead and also to take the responsibility for the decisions.

[signed] Keitel

TRANSLATION OF STATEMENT IV

THE POSITION AND POWERS OF THE CHIEF OF THE OKW

Nurnberg, October 9, 1945

W. Keitel
Field Marshal, retired

1. The Fuehrer personally assumed the rights which formerly belonged to the Minister of War, who left office at the end of January 1938. He had the *immediate power of authority* over the three sections of the armed forces, the Army, Navy, and Air Force, and with Hitler as the Supreme Commander, all three Chiefs of the Army, Navy, and Air Force were subordinated to him directly.

The Chief of the OKW had no power of command whatsoever over the section of the armed forces. The OKW as a military authority was subordinate to him. He was placed in charge of it in his capacity as "Chief" of the Military Operational Staff of the Fuehrer.

The Fuehrer alone reserved for himself the sole right to decide all questions concerning the whole armed forces, such as strength, structure, organization, armament, and arms. The chiefs of the sections of the armed forces made their proposals or requisitions for desired armament and future movements *directly* to the Fuehrer. The Chief of the OKW, who was the deputy of the Fuehrer and was Supreme Commander in charge of the whole armed forces, dealt with general questions concerning the armed forces *as a whole* and with matters concerning administration. He acted also as the deputy of the Fuehrer towards the Reich ministries, but with the following *limitations:*

a. The Fuehrer gave the final approval and made the final decisions in basic matters.

b. In current affairs of a nonbasic nature, always, if an agreement could not be reached between the different parties (for instance Chiefs of the Sections of the Armed Forces and the Chief of the OKW).

The Supreme Commander of the Armed Forces (Fuehrer) conferred, with the limitations as outlined under *a* and *b*, all purely administrative functions upon the Chief of the OKW as far as they did not touch his sole privilege of supreme power of command. The Fuehrer definitely did not accept the unfortunate dualism that means the contrast between the authority of the ministries on one hand and the execution of the supreme command on the other hand. The post of the Minister of War was abolished, since the Fuehrer definitely disapproved of this dualism —the Minister of War versus the Chief of the Supreme General Staff, which belonged to the old Prussian army. He also disapproved of the subordination of the supreme commands of the Air Force and Navy under the General Staff of the Army, which was attempted several times. The OKW as the military staff of the Fuehrer, who was its supreme commander, was put together after several internal changes, as follows:

1. The WF St. General Staff of Armed Forces	Gen. Jodl
2. Office for Foreign Defense (dissolved at the 1st of March 1944; defense turned over to RSHA)	Adm, Canaris
3. Chief of the General Department of OKW (included handling of PW's)	Gen. Reinecke (Hermann)
4. Armament and Economic Office (dissolved in winter 40/41; Armament turned over to the Minister of Armament Todt (Speer) the rest formed)	Gen. Thomas (Georg)
4*a*. Military Economy Office (rest of the office #4)	Maj. Gen. Becker
5. Armed Forces Reinforcement Office	Brig. Gen. Wiedemann
6. Armed Forces Central and Personnel Office	Maj. Gen. Winter
7. Armed Forces Legal Dept.	*Generaloberstabsrichter* Dr. Lehmann
8. Armed Forces Budget Dept.	*Ministerialdirektor* Tischbein
9. Chief of the Army Staff at the OKW	Gen. Buhle personal referent of the Fuehrer

10. Chief of the Medical Service of the Armed Forces	*Generaloberstabsarzt* Dr. Handloser
11. Chief of Military Transport	Gen. Gercke (Rudolf)
12. Chief of Military Signals (communications)	Gen. of the Signal Corps Preuss (?)

Note.—The Fuehrer usually had direct and personal contact with the Chief of the General Staff of the Armed Forces, frequently with the Chief for Foreign Defense and, only occasionally, with the other leading Chiefs of the Directorate of the OKW.

These two latter under 11 and 12—if more than one branch of the service was concerned—were under the Chief of the General Staff of the Army, thereby maintaining their main functions in the army. *Furthermore,* attached to the OKW was the "National Socialist Political Guidance Staff", since the commencement of its existence (8/1/44) until its dissolution (1/3/45) under General Reinecke, who was under the immediate order of the Fuehrer. With the beginning of the war itself, the Executive Staff of the Wehrmacht (General Staff of the Wehrmacht) naturally became predominant. Just as I, personally, was locally bound closely and constantly to the Fuehrer's person, and since the beginning of the war accompanied him on negotiations everywhere: the Chief of the Wehrmacht Executive Staff was indivisible also (WFST) at first with the sections, later on with the "Operations Sections" (L) under General Warlimont, and the permanent organs of liaison of the remaining sections as well as the OKW.

While the actions and occupations of Austria, Czechoslovakia, and also the Poland Campaign were led alone by the Supreme Commander of the Army—directly under the Fuehrer—the "OKW/WFST" went into action in strength for the first time in the occupation of Norway (cooperation of all the 3 sections of the Wehrmacht) as a leading organ of the Fuehrer.

In the West Campaign in 1940 and its decisive planning, the influence and strict handling of commands by the Fuehrer in person, also in a tactical respect, already made itself strongly felt.

He did not exclusively converse orally with and give commands to the Commanders-in-Chief of the Wehrmacht Sections anymore, but to an organism of uniform and authoritative command giving orders to the OKW *Executive Staff* in the Form of "Directives" which verified the oral commands and intensified them. (In regard to this, read my statement about the "Origin of Directives.")

The more justified the trust of the Fuehrer towards General Jodl became, during the time of their working together, the closer and more immediate became the personal exchange of thought and direct intercourse between Hitler and Jodl, who usually in my presence directly informed him (Hitler) of the military situation, and measures and orders to be issued as well as directly received orders. With the very particular and detail-absorbing exactness of the Fuehrer (probing) always into the last analysis in everything and on all subjects—this direct intercourse and the direct conversations with Jodl as *"Chief of the General Staff of the Wehrmacht"* (Chief of Exec. Staff of the Wehrmacht) took a heavy burden from me. However, despite all, Hitler fundamentally wanted my presence at the daily reports on the military situation, which took place once or twice daily. Otherwise, I was to initial those orders to the effect that I had knowledge of them. The Fuehrer used to discuss more difficult and important questions as well as decisions with Colonel-General Jodl and myself, as well as with the Commanders-in-Chief of the Wehrmacht Sections, and make his decisions accordingly. He did not like it when such discussions, unfortunately enlarged by himself, took place at the daily situation-reports in the circle of those present—mostly about 20 participants or more (amongst them the permanent representatives of the Reichs Marshal, Foreign Minister, Reichs Leader of the SS, the Commander in Chief of the Navy, etc.). Besides, Hitler found it completely unbearable when within this circle I possibly expressed myself in opposition to him, or in this case, to the opinions voiced by him, because this apparently seemed to him to be some kind of criticism of his views.

IV. After also taking over the *direct High Command* of the Army, that is after the departure of Field-Marshal von Brauchitsch in December 1941, the Fuehrer led:

1. as before the total Wehrmacht with the Wehrmacht Executive Staff
2. the Army, especially at the *eastern front* with the Chief of the *Army General Staff.*

For this he gave the reason, that especially in a situation which had become critical, he wanted to take the responsibility for the Army in the East and its difficult stand during the Partisan uprising and fight, and to bind it to his person and to his destiny before the people and their history.

The Army itself would welcome the Fuehrer's assuming the Supreme Command of the Army, to my knowledge, with the exception of a few officers, mostly elderly. It would be welcome already, because the corps of officers would have the immediate attention and representation concerning the interest of the Army, and the Fuehrer's expected protection against enemies from the outside or against being neglected in some other way, and also against other parts of the German Army and the Waffen–SS. And so a dualism in the leadership of the whole Army and of the battle sectors developed progressively in which the Fuehrer acted: he commanded:

a. As Supreme Commander of the Armed Forces and in the entire leadership on all fronts.

b. Hitler, as Supreme Commander of the Army, was leading the East Front as a whole and as individual sectors.

Hitler made use of the Executive Staff of the Armed Forces within the OKW *on all fields of battle* with the exception of the eastern front. The expression "OKW Battlefront" became familiar. To the contrary on the Eastern Front (with the exception of Finland and the Balkans) where the Fuehrer personally prevented the influence of the WFSt by his immediate personal dealings with the Chief of the General Staff of the Army. The Fuehrer dealt knowingly and purposely in two ways: he wanted certain competition concerning the disposition of troops and distribution of ordnance supplies of all kinds in order to have personal inside knowledge to reach his own final decision in case of unavoidable controversies, regarding claims and demands of the east front and the "OKW Battlefronts." Obviously it definitely could *not be* done without the WFSt which intentionally was kept small, and without the very able and competent General Staff of the Army with its subordinate, the Quartermaster General, who continuously took care of the troops of the Army *on all* fields of battle and who had to take care of and supervise the shipment of all requisitions regarding personnel, matters of material and supplies. General Buhle, Chief of the Army Staff at the OKW, was acting in the capacity as a liaison officer between the Ministry of Armament (Speer), Inspector General of the armored troops, Commander of the Reserve Army in the Reich and Quartermaster General (Army); he was also the submitter of the requests of the WFSt and the orders of the Fuehrer.

V. In February 1938, at the abdication of Minister of War, the Fuehrer purposely avoided:

1. To designate a new Reich War Minister

2. To pronounce *me* his Chief of the OKW and at the same time *Minister of the Reich.*

Note. In contrast to this: the Reichs Minister of War and Chief of the Reichs Chancellery, Lammers; the Minister of State and Chief of the Presidential Bureau of Chancellery of the President of the Reich, Meissner; the minister of the Reich and the deputy of the Fuehrer, Hess, etc.

Even so, just like the three Supreme Commanders of the three sections of the armed forces, like Goering as Minister of the Air Forces, I came after the Supreme Commanders of the different sections of the armed forces. It has already been established that I should not have a superior rank or power with the exception of being the Chief of Staff, which would have been the case as with the Minister of the Reich, at least in a sense of a purely ministerial matter. I participated only in one single session of the Cabinet of the German Government on the 4th of February 1938 (I accompanied the Fuehrer in order to be introduced in the capacity as his Chief of the OKW), just as General Oberst v. Brauchitsch, who was promoted the same day to the Supreme Commander of the Army. At this time I did not have this rank yet. I only became "General-Oberst" [Full General] in the fall of '38 remarkably at the same time, with the Secretary of State, Milch, in the Ministry of Aviation.

In my special position as Chief of the OKW with the Fuehrer I represented towards the Reichs Ministries the "Supreme Authority of the Reich," to which the high commands of the Wehrmachts sections belonged also, which was centralized for all Armed Forces, and I only negotiated in basic questions with the Ministers; otherwise with the Secretaries of State.

I don't doubt that my participation would have been required in the cabinet sessions, if they had still taken place at the time of my appointment as Chief of the OKW; at least then, when the Armed Forces played a part in the subject of the negotiations. As Reichsminister, I was not granted a seat and vote in the cabinet by any special decree of the Fuehrer. It would never have been practical, because no further meetings of the Reichs Government (cabinet sessions) were taking place.

On the 1st of September 1939 a decree of the Fuehrer was issued regarding the "Council of Ministers for the Reichs-Defense" under the presidency of Reichs-Marshal Goering. Within this Council of Ministers I was appointed Representative for the Wehrmacht. I have only attended 2 or 3 sessions of this Gremium. Later on, decrees were circulated in writing. Those which exceptionally dealt directly with the Wehrmacht, I have co-signed, but not those general war measures of *civilian* sectors or of armament, since this was being taken care of by a special ministry. The council of Ministers—when at all—met in Berlin; I was constantly in the Fuehrer's company in the headquarters or at the front. In urgent measures, directly dealing with the Wehrmacht, I have never made use of the Council of Ministers for the Reichs Defense in regard to applications or suggestions.

TRANSLATION OF STATEMENT IV

The Fuehrer, as Supreme Commander and War Lord with unlimited legislative powers, enforced *without* participation of the Council of Ministers. I submitted such decrees to him without the usual co-signing of the ministers, which, anyway, is not being used within the Wehrmacht.

The opinion advanced to me several times, that perhaps I had been a *member* of the Reich Government with the rights and responsibilities of a Reichs Minister, is completely wrong.

[signed] W. Keitel
Fieldmarshal, retired.

TRANSLATION OF STATEMENT V

[NOTES CONCERNING ACTIONS OF GERMAN ARMED FORCES DURING THE WAR AND IN OCCUPIED TERRITORY BY WILHELM KEITEL]

19 October 1945

WILHELM KEITEL

Notes

To the Chief of Investigation Mr. Dodd,
from the 18 October 1945 until the presentation on the 22 Oct. 1945.

I. The examinations and interrogations so far evidently concern three main subjects:

a. Political connections, ambitions, and measures, as well as actions, are exclusively the affairs of the *politicians,* never those of soldiers!

b. Military preparations, operational plans, preliminary arrangements and execution of the campaigns: the broad coherences explained by documents ("information") supplied by us, respectively supplemented by discovered documents (Colonel Schmundt of the Navy [sic]) and interrogations.

c. Occupied Territories and their populations (war against partisans), as well as our *military* procedure in the treatment for the protection of our own armed forces; furthermore, treatment of prisoners of war. That means, therefore, the handling of the "International agreements."

II. I should like to give detailed arguments, because the *causes and justifications* for measures taken by us have yet never been discussed.

Under "International agreements" I understand the following:

1. Hague Convention regarding the usages of *land warfare.*

2. The Geneva Convention regarding *the treatment of prisoners of war.*

The Soviet Government had from the start refused the acknowledgment of either of them! They had placed themselves intentionally outside of these and thereby openly declared their intended attitude. The Hague Conventions unfortunately did not apply to air warfare, as proposed by Germany while England declined the corresponding extensions. The whole deciding factor responsible for the origin and the development of conditions was the attitude of the population towards the marching in and later on the occupying troops, the administration of the occupied territories. One talks generally of the "occupation forces" and only thinks in this connection of the "armed forces." But the decisive factor is the person who exercised the power, that is, the "executive power," namely, who was actually responsible; if it was either: the military Commander in Chief or: the civil administration in conjunction with or by their police forces.

We used to distinguish between (*a*) operational territory; (*b*) occupied territory. As for (*a*) in the operational territory the Army (Commander–in–Chief of the Army) was solely responsible, until he was relieved in full or in part of the responsibility by handing it over to the civilian organs (for example in Poland towards end of September 1939), Norway, Holland, Alsace-Lorraine, Luxemburg and others, and in Russia after the summer of 1941 by the Reich Commissioners, "Eastland" and "Ukraine" under the "Reich Minister for Occupied Eastern Territories" (parts of the Province of East Prussia).

From time to time the operational territories were newly defined with the advance to the rear of the armies and the territories lying farther backward were taken away from the Commander-in-Chief of the Army. Responsibility for the Armed Forces, that is, the responsibility of the Commander-in-Chief of the Army—with the exception of the area close behind the front lines in Russia—remained only in Belgium, France, Yugoslavia and for Crete (not Greece).

In France, unfortunately, the police powers were transferred in the winter of 1941/42 to the Reich Leader of the SS, that is in this case were transferred to the "Higher SS and Police Leader," appointed by him; the military commander was precluded.

III. Regarding the handling of international conventions quite a number of "documents" were shown to me; they concern only partially the Armed Forces themselves. Moreover, Russia to start with is excluded, because it had rejected the acknowledgment of the conventions.

1. Against the population: (I mention only examples):

a. "Night and fog" decree (Deportation into Germany in certain cases).

b. Order to the Military Commander-in-Chief (v. Stuelpnagel) of December 1941: The shooting of hostages *if culprits were not discovered.* (French police at first were cooperative, but not later on; the population shielded the culprits.)

c. Italy: Employment of the order East against partisans in December 1942.

d. Fuehrer order of the 4th July 1944 concerning Anglo-American terror raiders.

e. Norway: (Letter to Terboven regarding the avoidance of sabotage against ships.)

f. Treatment of the civilian population in case of resistance and attempts to revolt (order of the 14th May 1941, no court martials, summary courts of the Commandants).

g. Plenipotentiary Powers for the Reich leader SS in the conquered Eastern territories of Russia in regards to political supervision.

h. Most severe measures against the "partisan war" organized and conducted by the Russian army.

i. Putting out of action (blocking) of fortifications behind the frontier by the use of gas.

2. Against POW (only Eastern territories):

a. SD-Commander in Russian POW camps (Staleg S).

b. Giving of distinguishing marks to Russian POW.

c. Delivery of escaped POW except British and American to the Police (RSHA).

IV. Certain obvious comparisons are made and connections seen:

a. Pure military defense and self-protection measures against partisans, formation of gangs, agents, sabotage, and other criminal attacks, and:

b. Civil and police activities in Germany itself or occupied territories, which are, or will be blamed on the armed forces.

Polizei, SD, or other parts of the SS (except units of the Waffen-SS) were never under jurisdiction of the Armed Forces or received orders from it. They were under the sole jurisdiction of Reich Leader Himmler.

The Armed Forces had for their purposes:

a. Secret Field Police and *Feldgendarmerie*

b. Defense units for the detection of espionage and sabotage.

The Armed Forces and the OKW were very concerned to obey international agreements since any violation would automatically result in repercussions against our own soldiers, e.g., in case that such actions were initiated by us and not reprisals against proved and known violations of the enemies. One could not prevent the common soldier from jumping to the defense. He thought: "Eye for eye and tooth for tooth."

V. All orders and decrees of the Fuehrer and Supreme Commander of the Armed Forces (whether issued by him or through myself) were exclusively:

Repercussions and countermeasures to misbehavior and rebellion in the occupied territories, if according to confirmed reports there was intentional violation of international agreements or of orders of the occupation troops whose number and security were limited. The Hague rules of land warfare *required* that the population submit to the orders of the occupying force and neither commit nor shield sabotage! The *material in our possession proves* beyond doubt that this was violated on the widest scale; the material is *in Geneva* and was *found as non-attackable* according to *court decision.*

VI. 4 Elements of different kind were active:

a. Underground movements of hate-instilled criminals of the particular country, mostly of communist origin.

b. Agents (hired subjects), refugees of their own countries, often Englishmen (secret service) in all western countries, including Yugoslavia, Italy, and Czechoslovakia.

c. In the *East* Russian political commissars and agents, also in Yugoslavia.

d. English Commando actions, organized bands (Partisans) assisted and supplied by England and Russia.

The German armed forces entered the Polish and Western campaigns under full observation of and respect for international agreements. No excesses have become known, individual violations were *severely punished!* On the other hand, we were immediately flooded with reports and legally investigated accounts of atrocities of the worst kind and killings of German soldiers by our adversaries. They all were gathered, investigated, and sent to Geneva with photographs.

Our *opponents* have more and more *poisoned* the heretofore *chivalrous atmosphere* of the fight, which was bound to lead to the sharpest counter-measures. *Examples* to be given *orally:* Poland, France, Yugoslavia, Crete.

In 1941 the underground movement in France started. The atrocities in the *Balkans* defied any description. Already in 1941 the unscrupulous *Partisan war* started in Russia, using all means. Later Italy, France, Poland, and Czechoslovakia followed suit. Everywhere the western enemies organized these "guerilla" mischiefs through agents, "commissions," and assisted and enlivened them with airborne supplies. It was necessary to threaten the population with the heaviest counter-measures, because the populace covered and hid Partisans and murderers and Gendarmerie and police of the particular countries which never found out anything because they *did not want* to find out anything. Thus there could be applied no other law than to strike back with barbaric methods!

The reason for issuing such strict orders even *before* the Russian campaign was the behavior of the population in Yugoslavia which at that time was already led and nourished by Bolshevist elements of Moscow (political commissars and Russian agents). It was not the armed German forces who started illegal methods of war, atrocities, and murders or provoked them; their shield was clean from the beginning in defense and self-protection.

Please question *General Jodl to this effect;* he gathered all reports and made daily reports to the Fuehrer.

[signed] W. Keitel

TRANSLATION OF STATEMENT VI

THE RELATIONSHIP BETWEEN CANARIS AND KEITEL

[BY ERWIN LAHOUSEN*]

Nurnberg, 23 October 1945

General Piekenbrock, who was a very close friend of Canaris, is much better acquainted with the subject than I am.

I limit myself therefore to expressing only those impressions which I was able to gain from remarks made by Canaris, or which I could form from personal observations.

There was hardly a greater contrast possible than between these two personalities and characters.

Keitel, tall and heavy in personal appearance, but weak and of a superdimensional mediocrity as regards his intellectual capacity, as a human being was cold and impersonal, "a sergeant type personality of titanic size" to repeat one of the character sketches (of Keitel) made by Canaris.

Against this wooden block (Blockhead)—another term used by Canaris—the physically unimpressive admiral, who was unmilitary to the extreme but intellectually tremendously mobile, fought in vain.

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* Erwin Lahousen, who held the rank of Major General, was assistant to Admiral Canaris, head of the *Auslands Abwehr* (Foreign Intelligence) section of the OKW. Together with Canaris, he was a member of the group of men within the Nazi administration who used their positions to endeavor to frustrate certain of Hitler's policies, with the object of helping thereby to overthrow his government.

Canaris gradually exhausted himself in this battle which was waged with all permissible and nonpermissible means against stupidity and brutality and finally perished in it.

He (Canaris) had brought to Keitel's attention all the documents concerning the actual events in the world, above all about the real reaction in this world and about the real reaction of the German people—as far as such a reaction existed—to the barbarous methods of the leadership of the government and of the conduct of the war of the Third Reich.

But he had found in Keitel neither an ally nor any support in his fight against this system. Canaris had warned Keitel countless times. Persons who were closer to Keitel than I know this, and should know it better.

In two reports entitled "Secret Organization of Canaris" and "Side lights to the Development of the 20th July 1944". I tried to explain on a small scale the underground fight waged by Canaris against three sides, namely, against the higher ups, against those below him, and against the Reich Security Office.

Canaris was a personality very hard to understand. Of self-contradictory disposition and divided intellect, he was and remained always human even where he may have failed or erred. Some of this even Keitel must have sensed or felt.

Then at one time, on a trip to Vienna (I believe it was in the Spring of 1941) Keitel, whom I accompanied at the time, said to me verbatim: "I (Keitel) would have given up the whole mess a long time ago, if I did not have subordinates who support me as loyally as your boss does. If he (Canaris) only would not be such a pessimist."

By calling Canaris a pessimist, Keitel—it is true—immediately showed his inability to judge correctly the consequences resulting from the Hitler insanity which Canaris had announced in what was almost a prophetic prognosis. He could not *and* would not.

THE DEVELOPMENT OF GERMAN NAVAL POLICY—1933-1939

[BY ERICH RAEDER*]

After the taking over of power in 1933, when I gave my first lecture to the Reich Chancellor of that time about the condition of the Navy and the aims to be striven for, he presented to me as *basis for the future German naval policy* his general political opinion, which culminated in his strong determination to live in peace under all circumstances with Italy, Japan, and England. Especially, he had no intention of contesting England's claim to a position of naval power corresponding to her world interest, which view he intended to establish in a special treaty concerning the comparative strength of the German and English fleets. *All* of which brought him to the realization that the comparative strength of the *French* and *Russian* navies had to be the first *basic consideration* for the coming construction of the German Navy. The French Navy under energetic leadership was increasing rapidly in material and personnel at that time. This construction work expressed itself in the building of the *"Dunkerque"* class (later *"Richelieu"* class). The Russian fleet also was very active in this period; especially in creating a submarine fleet of excelling strength. In what manner she strove to develop her surface fighting forces was seen later from negotiation of the Soviet government with England in the summer of 1936, about which we heard through England.

It must be especially emphasized here that neither on this occasion nor perhaps in the future the question of the possibility or preparation for war against France or Russia came up. Rather, I could only judge by occasional remarks of the Fuehrer—for instance when he, before the negotiations with England, curtly refused to take into consideration any French claims or sensitivity—that he had in mind to "settle" with *France* later. The Fuehrer never did mention to me the possibility of a war against Russia before the second half of 1940 so that I—especially later with reference to the pact of August 1939 with Russia—never was brought to think that such a war could ever be intended. In addition, the Fuehrer, prior to the war of 1939, always pointed out that it was a great necessity to prevent Germany's participation in a two-front war. In this respect the war of 1914 was a stupidity. Under this condition it was natural that for me the construction plan of the French Navy, above all, was of special importance for the construction of the Navy. Here I must confess I had already been sceptical of the Fuehrer's plan to win England permanently over to a policy of peace through a proportional strength of the fleets of 35:100, and therefore in the following policy of ship construction very early also considered the English type of ships ("*King George*") as an enemy.

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The conclusion of a Naval Treaty on the proportional strength of the German and English fleets was initiated wholly by the Fuehrer himself, who proved himself well informed about occasions from earlier time (1912 Tirpitz—Proposal 10:16), or as I have mentioned elsewhere * * * already. I agreed immediately with his intentions to demand about one third of the strength of the English fleet, particularly if thus the chains of Versailles dropped silently and we obtained the opportunity to develop our shipyards gradually according to the increasing demand. I proposed for purely practical reasons 35% instead of 33⅓%, which the Fuehrer accepted.

The preliminary negotiations were carried out through the ambassador. On behalf of the Germans von Ribbentrop was designated as leader of the delegation, and *Konteradmiral* Schuster and Naval Attaché Captain Wassner as naval members. Ambassador Craigier, who was at home in this field and recognized every advantage, conducted the negotiations for the English. As far as I remember the chief naval deputy was Captain Philips. There were circles in England which disapproved of the conclusion of such a treaty, but rather wanted to insist upon the dictates of the Versailles Treaty; Churchill surely belonged to them. They (the circles) were overrun by those who were of the opinion that the 35% granted to Germany could never be a danger to England, especially since the treaty would be a good influence on the feelings between the two countries; on the contrary, Germany could one day be induced to use the 35% *in favor* of England in a conflict. The ticklish question of the loosening of the Versailles chains, which will appear some day yet and cause unpleasant and perhaps dangerous discussions among the nations, would be solved quietly by the treaty on naval questions —which interested England most—and will disappear completely from the agenda of the negotiations.

The negotiations of June 1935 in London were carried on quickly and the Fuehrer concluded, according to his political aim, on 18 June 1935 the *German English Naval* Treaty, according to which the strength of the German fleet was to be in the ratio of 35:100 to the strength of the combined fleets of the members of the British Commonwealth, and the 35% ratio of strength was to be applied to the tonnage of every *category of ships. Submarines* were permitted to Germany in *equal tonnage* to England; presently it did not want to exceed the ratio of 45:100 without previously making the matter subject to friendly discussions with England. This treaty freed us, without its being specifically mentioned, from the *quality* specifications of the Versailles Treaty, which was of the greatest importance to me. Thus, with the ratification, we could put our first submarines into service. Their construction had been prepared abroad (Holland, Spain, Finland) with the greatest difficulties, and after the taking over of power carried out under strict secrecy in German shipyards (*"Deutsche Werke"*, Kiel; *"Germania"*, Kiel) so that we had already in the spring of 1936 18 submarines of two especially satisfactory types (250 t. and 500 t.) with trained crews for use on the high seas. On the other hand, the Fuehrer tried, until the ratification of the treaty, to avoid everything that could be considered, in violation of the stipulations in effect up to then, as "arming," in all of which a *certain* consideration on behalf of France in view of the Saar plebiscite may have been of some importance. Still at the end of June 1934 my proposal to build a *third 28 cm—Drillings-tower* on the 4th and 5th [*Panzerschiff*] battleships—DuE—which were to receive a higher displacement for the increase of defensive power (armor, underwater compartments) (later *"Scharnhorst"* and *"Gneisenau"*) was refused by the Fuehrer. Only the *preparations* for it were permitted. The building in of 38 cm guns was then out of question for political reasons; besides a 38 cm gun would have to be newly constructed.

The Naval Treaty of 18 June 1935 (quantity agreement), which the English pictured to us as a singular and final settlement (I do not know the exact words, contained in my "speeches") was followed on the 21 December 1937 by the *Treaty* between Germany and England *"Concerning Limitation of Naval Armament and the Exchange of Information about Fleet Construction."* All this was not, shall we say, the result of yearly or even monthly negotiations, but resulted naturally as a consequence from the system of quality treaties which England had concluded with France and the United States in 1936, and into which now the junction with Germany had to be made, if she was to be included in a collective system. Perhaps this thought was decisive in the recommendation for acceptance of the 35% Treaty, which preferred a securing of Germany by a bilateral treaty to being bound by the Versailles Treaty, which was rather doubtful in the long run and already criticized as impractical by some of the authors themselves.

The Quality Treaty of 1937 included the "Definitions" by individual classes of ships (battleships, heavy cruisers, light cruisers, destroyers, submarines, etc.): limitations of the individual types of ships according to displacement and heavy guns [*Hauptartilleriearmierung*] (for instance 35,000 t. 40 cm caliber); concept of obsolete conditions [*Ueberalterung*]—the time at which a ship may be replaced by a new one; exchange of information on the content of the building programs, dates of keel layings and completion, characteristics of the ships, and dates of communications with the treaty partners.

There were no secret clauses whatsoever added to either the treaty of 1935 or the treaty of 1937. I can vouch for that without hesitation since the Fuehrer made no decision in pure naval matters without listening to my advice and also Ribbentrop took no steps without taking the naval expert into his confidence.

Even though these treaties of 1936/37 offered the concluding powers certain advantages by the stipulation of the extent of naval construction, England still succeeded in keeping within her traditional naval policy by preventing the commencement of building of such ships until 1942, including construction by the treaty partners which would be especially dangerous for the protection of English trade during naval warfare—battleships under 17,500 t., e.g., fast battleships [*Panzerkreuzer*], also 10,000 t. cruisers with 20 cm guns (heavy cruisers), and cruisers, which are armed with 15.5 guns and have a higher displacement than 8,000 t. Concerning the heavy cruisers, Germany kept the right, after previous notification of the intention, to produce more vessels of this type within the frame of the 35:100 ratio or produce them by conversion. I recall that the negotiations of 1936/1937 were influenced by the agreements of 1936 between England and the Soviet Union; I believe that the number of *heavy cruisers* to be built by the U.S. was the major question. But in my recollection no difficulties developed even there.

In which manner the English dealt with the French, when they always tried to get the better of them, during the negotiations of these years, can be seen from the bitter remarks Admiral Darlan still made to me in the beginning of 1942 and which climaxed in: "He would never again shake hands with an English

Admiral, excepting Admiral Cunningham, who was the only decent English Admiral." The English Secret Service, soon enough impressed that upon him.

The good feeling created between England and Germany by the treaties of 1935 and 1937 could have been maintained by bilateral good will without difficulties, which undoubtedly would have been of great advantage to the summary development. On the part of the English the die-hard Germanophobes [*Deutschlandfresser*] soon again began to poison the atmosphere. On the part of Germans, the appointment of the equally stupid and conceited and diplomatically totally unusable von Ribbentrop as ambassador in London, and later as successor of Freiherr v. Neurath as foreign minister, made it immediately impossible for every tediously prepared agreement to develop. Neurath, who was a highly regarded personality in England and other countries, would have been capable of carrying out the Fuehrer's policy toward England. Moreover, he told the English ambassador, Sir ? Henderson his views very openly, as I could notice at a reception of the Fuehrer in the winter of 1938/39, where he called the ambassador to account for the English manipulations behind the scenes during the Munich negotiations. Besides, when I asked the English ambassador in connection with that how England would reciprocate for the generous manner of Germany on the question of the ratio of naval strength—so far our considerate offer had been accepted as being a matter of course—the ambassador said, countering the last sentence, that will be seen in the *resettlement of the colonial question.* (Also he was of the opinion that there were certain *advantages* for *England* connected with the ratification of the Naval Treaty of 1935.) I knew nothing then of an intended resettlement of the colonial question. When Generaloberst von Blomberg returned from the coronation ceremonies in England and made a report to the Fuehrer, I noticed how the Fuehrer (perhaps on the basis of reports from Ribbentrop) was pessimistic concerning the feelings of England/Germany, while von Blomberg reported favorably, for instance how the widow of King George V had asked him with a warm handshake to see that a situation as 1914 can never occur again. Of course, no one in England would at that time have approached Mr. v. Ribbentrop with such a request.

The action of Germany in Czechoslovakia certainly made the feelings in England worse and the Fuehrer began to feel the resistance of England in politics everywhere and believed to recognize in England the soul of resistance in all the world against Germany. Though as yet he did not consider his policy of settlement with England wrecked, he thought it right to use now *all* opportunities which were still left open to us by the ratified treaties. We were permitted, after friendly preliminary negotiations with England, to build 100% submarines—instead of 45%—and after previous notification to England, to build or convert 5 heavy cruisers with 20 cm. cannons instead of 3. The necessary negotiations continued in a friendly manner in Berlin at the Supreme Command of the Navy during the last days of 1938—Admiral Cunningham and Captain (Navy) Philips representing England, and Admiral Schniewind and the proper specialist in naval operations representing Germany. They signified only a form. In the second half of the year 1938, the Fuehrer transmitted the observation to England, at the opportune time, that it should not be believed that we had proposed only the 35% because we could not build at a faster rate. From October 1938 on he impressed upon me strongly that every ship built by us must be stronger than the corresponding English ship, and that we must prepare to embark on a tremendous construction program. I pointed out very earnestly that our fleet was in the earliest stage of the beginning of construction and that even with the maximum efforts and strongest exertions of all shipyards we could not think of engaging England in a sea battle before 1945-1946. By order of the Fuehrer a new construction plan (Z-Plan) was drawn up for this time-period, which provided as a nucleus the building of 6 of the largest battleships with diesel engines and 42 cm. armor; *8 fast P-Cruisers* [*8 schnellen P-Kreuzers*] with mixed engines, highest battle speed (33-35 SM) (sic) and 28 cm. artillery-armor for defense against 20 cm artillery of heavy cruisers.

It was very difficult to find a model of a light cruiser designated for Atlantic operations, in that speed and endurance could not be brought to the necessary height if there was sufficient armor (8 x 15 cm. cannons) without actually exceeding a displacement of about 8000 t.

Only a prize competition resulted in a new type of diesel engine (V-engine) which satisfied all demands, which however was demonstrated only after many years of trial. This V-engine, the uniqueness of which lay in its ingenious solution of the place and weight problem, showed itself serviceable also for destroyers as well as for quite large engine installations, and represented genuine progress which secured for the engine conclusive victory in the race against the high pressure steam engine installations [*Hochdruckheissdampfanlage*].

For a long time we wrestled with the problem of a high-sea destroyer [*Hochseezersteerer*] which was to be used for accompanying the large ships in war against merchant shipping in the Atlantic. There were no *destroyers* of this kind; there developed from this quite automatically the reconnaissance cruiser [*Spaehkreuzer*] with some 5–15 cm. cannons and seaworthiness, endurance, and highest speed for shorter periods. It was believed that it could be constructed with (a weight of) 4–5000 t.

There still remained the serious problem of the aircraft carrier [*Flugzeugtraeger*] of which 2 were being constructed, others being considered. It was quite clear that in the war in the Atlantic, every group of battleships should be accompanied by an aircraft carrier. The question of the size of the carrier—as in all naval matters—was very important for the project; we believed however that we would not be able to go under about 20,000 t., in order to insure also in the Atlantic the necessary stationary position for the landing of aircraft. A high speed of about 36 sm would furnish the best defense of a carrier against surface vessels. The antiaircraft artillery [*Flakartillerie*] was strongly built up. Also the question of landing decks on cruisers [*Flugdeckkreuzers*] was repeatedly worked through. A large cruiser which carried its artillery and armor in the bow, with its deck behind the bridge taking up about 2/3 of the length of the ship, was erected as a carrier-deck [*Flugdeck*]. At this point great difficulties arose in connection with maintaining the necessary longitudinal stability [*Laengsfestigkeit*] which would be insurmountable—so far as I can recall—if the caliber of the artillery in the bow of the ship should be carried from 15 cm. to 20 cm.

At an early stage special attention was devoted to the building of supply ships carrying reserve supplies of oil, food, ammunition, etc., which were to follow the ships (also auxiliary cruisers) waging war against merchant ships into the Atlantic and which actually played a very useful role there.

Since the end of 1938 the building of submarines went ahead with increased speed, whereby besides the original types of 250 tons and of about 500 tons built until then, a third model of 740 tons was constructed which was able to carry reserve torpedoes, a rather large number of which were in a container to the deck.

The "Supply-U-Boat" or "U-boat tanker" was marked by special peculiarity. With about 1400 tons it was meant for the purpose only of supplying the combat submarines with fuel and torpedoes on the high seas, while it was not armed for battle itself. Large mine-carrying submarines were constructed; later on also long-range submarines (1600 t.), which were able to carry operations as far as the Indian Ocean without having to depend on the aid of submarine tankers.

The problem of increasing the underwater speed of submarines was tackled at an early time when a young engineer, Walter, came out with a new type of standard engine [*Einheitsmaschine*] with a special kind of fuel. The Navy gave engineer Walter the first installations necessary for his experiments and even before the war broke out a trial machine was running in the Germania shipyard in Kiel. It was out of the question, however, to build it into a submarine. The miniature submarine built first was tried out later on the Schlei and in the Gulf of Danzig, whereby one also aimed at mastering the problems of fast underwater speed itself. It took until the end of 1944 to have the Walter boats ready for action, at a time when a further development of our own submarine types—strengthening of the electric installation [*E-Anlage*]—had also solved the problem of high underwater speed. This high underwater speed for one thing enabled the submarine to move up to [*aufdampfen*] a convoy under water and to evade successfully the convoy's ships under water.

Besides that, the submarines which were constantly operating under water were once again able to stay close to enemy coasts and harbors, where traffic is always the heaviest, without being detected right away.

Transforming submarine warfare into under-water submarine warfare was the answer to the development of enemy orientation. This possibility had been recognized already years ago—even prior to the outbreak of the war—and its realization had been attempted.

If I now return to the setting up of the Z-Plan (approx. in the fall of 1938), it was probably based on the following *idea of sea warfare against England:* Submarines are being used in largest numbers around Great Britain and in the Atlantic. However, their activity in itself forces the British only to safeguard their convoys with light ships. The large fleet remains at disposal for other tasks.

However, if our auxiliary cruisers, 800 t. cruisers, heavy cruisers (with 20 cm. cannons) and P–cruisers (with 20 cm. cannons) are waging a lively war against merchant ships in the Atlantic, the British are forced to protect all their convoys with battleships. This breaks up British sea-power and it must be kept on the high sea continuously, thus exposing it to heavy wear and tear, which brings about many repairs in shipyards.

The fast German cruisers are backed up by the P-cruisers, which are superior to all English cruisers and which have to evade only English battleships. This they are able to do owing to their higher speed. The closed formation of German motor battleships, with its great endurance on the high sea, is the backbone of the P-cruisers, and if the need arises it is in a position to hold its own against the British battleship—protection of a convoy. Airplane carriers are operating together with the battleship formation and with the P-cruisers; the reconnaissance cruisers are serving as close range security for the benefit of the battleship formation. Experience had to show if British tactics would prove it more advisable to organize smaller groups of battleships with one airplane carrier and several reconnaissance cruisers each.

The fact that all types of ships in accordance with their size carried a number of planes shall be mentioned in passing as being self-explanatory. On large ships they were carried in armor-plated holds [*Panzerkasten*].

According to the "Z-Plan" a tremendous plan for the enlargement of bases and shipyards was begun in 1938, which presented the Navy with very difficult and large tasks. The difficulty arose from the necessity of adapting naval installations to the increased displacement of ships, and from the necessity for shipyard repairs as well as new ship construction which had to be undertaken in as many places as possible along the coast. This was brought about by the increased menace of air attacks during war.

I submit the following information from memory. It is contained more exactly in "My Speeches" [*Meine Reden*]:

Wilhelmshaven received a 4th entrance which had 2 (two) sluices of 300 x 60 mtrs. each. A lock of the largest dimension could completely seal off the inside harbor. The 3rd entrance to Wilhelmshaven was partly renewed: damage had been done to the concrete. The south sluice was made equal to the width of the north sluice. The largest battleships could have been built at the *Deschimag* (construction docks) in Bremen; in Wilhelmshaven at the construction dock and Helling; in Hamburg at Blehn and Voss Helling; in Kiel at the *Deutschen Werken* (Helling), and at the Navy yard and *Hewaldtwerken* (construction dock). P-cruiser and aircraft carriers could be built at the same places.

A number of small shipyards were considered for light cruisers and destroyers. In order to have the largest decentralization, they were distributed along the coast of the North Sea and the Baltic; they were the *Hewaldtwerke* in Hamburg, *Germania* in Kiel, *Oderwerke* in Stettin, *Danziger-Werft, Schichau* in Koenigsberg, and the *Schichau* in Elbing. Destroyers were built mostly at the *Deschimag* in Bremen and torpedo boats at the *Schichau* in Elbina. U-boats were delivered, besides, from the Navy yards, from the

Deschimag in Bremen, *Vulkan,* Bremen, *Blehm and Voss,* Hamburg, *Stuelken*—Hamburg, *Germania*—Kiel, *Deutsche-Werke*—Kiel, *Flenderwerke*—Luebeck, a yard in Danzig, and in Emding. During the last years of the war smaller yards were added. Minesweepers and auxiliary craft were built by the *Stuelken* yard in Hamburg. *Neptun* in Rostoek, and in yards in Wesermuende. War industries like Krupp in Essen had to decentralize at an early date. It was found necessary on account of the greater need of the *Wehrmacht* to build brand factories in central Germany and in Silesia, to distribute the manufacture of motors, which had to take on great proportions, at different places in the Reich in order to succeed in the Z-Plan. The *Hewaldwerke* in Hamburg started building a motor factory as a branch of the M.A.N. Augsburg-Nurnberg.

The western Baltic sea, on account of its size and depth, was no longer sufficient to be used as a place for maneuvers by ships of the fleet. The fleet grew steadily in number and size. Therefore it became necessary to use mostly the central part of the Baltic sea for maneuvers of the fleet. In case of a war with England the central and eastern Baltic sea was the better place for maneuvers of the fleet, including U-boats, since this sector on account of its further distance from England is harder to be reached by enemy aircraft. In order to give the fleet a base for maneuvers, a connection of the Jasmunder Boddens on Ruegen with the Baltic sea was considered, which could have been accomplished with a breakthrough of minor proportion. On the banks of the Bodden docks and yards could have been constructed without difficulties. The western Baltic could be reserved for the authorities in charge of training and experimental purpose, since these were tied down to their yards in Kiel and Eckernfaerde.

A construction for a special purpose and of huge proportion was the *constructions built on Helgeland,* the major purpose of which was finally to protect the dunes against destruction by the sea. At first the former U-boat and torpedo harbor was rebuilt, together with the work done for the preservation of the dunes, into which the boat pens for the Navy were constructed very soon. Furthermore, large constructions of piers were started, whose purpose it was to harbor the whole fleet. It was the intention to make the departure of the Navy independent of time and tide and the depth of the water in the mouth of the rivers (Elbe, Weser, Jade, Ems), which were found to be an obstacle to the freedom of movement of the fleet during the war 1914-1918. The rebuilding of the fortifications into the rocks of Helgeland was started at an early date; heavy and medium artillery (30.5 cm. K 17 cm

K 15 cm K) as well as antiaircraft were installed. A systematic installing of artillery and especially antiaircraft was proposed along with the progression of the harbor installations. Repair shops and harbor installations were to be built through the years.

An edifice of a special kind was eventually planned for the harbor of Wesermuende, where one or two aircraft carriers in close conjunction with an open country airdrome for carrier aircraft, were to be stationed. An entrance "drive-in" of sufficient size was in existence, so that it was a question of creating a basin in conjunction with the entrance "drive-in" on the one hand, and the attached land airdrome on the other hand with all the necessary installations in order to receive the aircraft carrier and for the purpose of receiving or delivering the aircraft. At a later date a similar installation was also planned for Kiel-Wik-Vossbreek, but could not be executed as a consequence of the incompletion of the aircraft carriers during the war.

In concluding this chapter on the German naval and shipbuilding policy of 1933-1939, I must touch upon the question of the *Naval Air Force,* which was to have become of such a decisive significance for the effectiveness of the Navy in the war. In the years following the World War the Navy had created from smallest beginnings the nucleus of a Naval Air Force. Thereby it was a fortunate circumstance that she was permitted to have a few flying boats which pulled the targets and which were granted because of the training of the ships' crews in anti-aircraft artillery. These aircraft—of course all old models—were administered and flown by an association, *"Luftdienst G.m.b.H.",* which employed a number of former naval flyers. Thus, by and by something could be done, though only at a very slow pace, as regards the usages of naval aircraft and the development of suitable types. Since it was not permissible to train active naval personnel, a part (about 1/4 to 1/3) of the naval officers' young generation was fully trained as fliers quite publicly for one year prior to their entry into the naval service in Warnemuende at the local Commercial flying school (whereas the Army developed its aviation matters abroad).

A further training of these Navy fliers could be carried out easier in later years. The flying school in Sylt played a certain part in that. The training with weapons was difficult since the equipping of some of the planes with weapons had to be kept very secret and the training had to be done on deserted parts of the sea. By doing so the Navy succeeded through the years in selecting the necessary airplane types for the Navy and in acquiring a few models and in training a number of airforce personnel. In all this it was necessary to be very careful since for a long time their own (German) Government, at least part of the officials, were opposed to these efforts. Up to 1932 the Navy had the following models ready: a multiple-purpose plane (Torpedo-Mine-Bomber) and a pursuit plane. The well-known De.X was built by request of the Navy, which tried to find a long range observation plane in it, which could keep itself afloat on the sea for a long period. In a special (camouflaged) section in the executive staff of the Navy, the matters concerning aircraft activities were taken care of. This special sections was headed by well-known flyers of the First World War. Of course, by the use of camouflage the antiaircraft played an outstanding role.

At the moment after the taking over of power by Hitler, when Germany started to create a *own (German) Airforce,* the question arose if it was right to give the Army and the Navy its own Airforce and leave it to the Airforce itself to give only the primary basic Airforce training and the operational use of the planes for bombing attacks. This question was studied in the Navy for years. Obviously the experience of the great sea powers, and the regulations layed down by them, played a decisive role. In Japan as well as in the U.S. clear separation was made between the Navy and the Army Airforce, which worked out well acording to reports. France came to a similar solution, which, as Admiral Darlan told me later, worked out very satisfactorily. It is very peculiar that the Navy in Great Britain had to fight it out for years, before it could put through a solution which was satisfactory to the Chief of Staff of the Navy. The English had finally achieved their goal by forming the Fleet-Air-Arm, in that the great number of aircraft carriers and their necessary aircraft units played a great role, besides the planes on board [*Bordfluegzueg*] or catapulted observation and coastal observation unit. All large navies were of the opinion that naval warfare had to be directed from one command station no matter if it took place *upon* the water, *above* the water, or *below* the water, and that especially for this reason the Navy airforce should be very closely connected with the Navy. Only when the Navy pilots *were educated and trained in the same spirit* as the crews of the ships, and only if they had the same points of view of events on the sea and sea battles and talked the same language—the Navy slang—as on battleships and smaller crafts, were their activities to be used satisfactorily for naval warfare. An example: on the sea, especially, observation is of the greatest importance, since the situation can change very often in the *shortest time.* A single reconnaissance message—for instance at dawn—can confront the commander of the fleet with most important decisions. It must make no difference whether the message is received from a U-boat, a destroyer, a cruiser, or an airplane message in the same manner. The message from the plane is probably the most important one because it can notice actions on the sea at greater distance and in a larger radius than is possible from an individual destroyer or cruiser. The message sent by a plane gives therefore very often a more complete picture of the situation and is therefore more important than a message sent by an individual ship. Therefore the importance of sending messages by plane is obviously great. In order to use naval planes with success it was a basic requirement that the aviator sending the messages had to be familiar with the common occurrences on the sea and also had to be well informed about naval warfare. Knowing these facts, the Navy educated and trained their pilots till 1933 accordingly, and saw to it that they were not trained nor used for one thing only. They had to be and work in the midst of navy life. As opposed to this knowledge of the Navy, which was familiar to every man, the growing of a new opinion began around 1932/1933, which was in favor of a completely independent Air Force. This opinion came from Goering and Milch, who became later the Secretary of State, and also from their supporters, mostly former land pilots. They based their thoughts on the facts that the activity *in the air* must be the basis for training and practical application. Only as secondary came the *special training* for operational bombing attacks.

If it can be admitted that it might be useful and economical to handle the general basic training by one office, naturally the Air Force, and that it might be of advantage that the leadership of the organization of the whole aviation industry, also for example the distribution of work to the different companies, etc. be in its hands, then the previously designed aim of complete consolidation of Navy pilots with the Navy (similar to the case of the Army in connection with aerial observation and the activities of fighter pilots, etc.) was not to be achieved if the Navy pilots (the expression *Navy pilot* would not be used later in order to eliminate the thought of a special Naval Air Force once and for all) received a short basic naval training, which treated only basic matters and not naval warfare, and from time to time were transferred to the Navy. They were neither at home in the Navy nor in the Airforce. It was regrettable that in this question, so very important for the Navy—a question all the more vital the smaller the Navy was in comparison with its mighty opponent on the sea—the Airforce had no understanding of the functions and requirements of Naval warfare, of which they knew nothing, least of all mastery of it. But the major decisive point was the matter of prestige, which could not be expected otherwise from a personality like the Commander in Chief of the Airforce and his Secretary of State, Milch. Even talks with the Fuehrer did not remedy this situation. Goering understood how to present to the Fuehrer an enticing picture of the size and ability of the Airforce to be created by Goering. He understood how to get Hitler's confidence by his personal talks about the Airforce, which very often took place without the presence of any one else. He especially had the confidence of Hitler during the first years, at least as long as setbacks were not outwardly noticeable. It was upon this confidence in an excellent and able Airforce, which proved to be unjustified by later events, that Hitler often based his decisions. He found out afterwards that it was a mistake. The Fuehrer also liked to play two parties against each other because he was of the opinion that through this fight he would reach a better final result than if all branches were to work harmoniously. For example, this was again and again expressed in the competition of the three parts of the Armed Forces for workers and raw materials, although this point of view was never justified by the results. In this manner the Navy struggled mightily with the Airforce in the years before the outbreak of war, in order to secure at least what was most urgently needed in the field of naval aviation. In one of the postwar years—it may have been 1937 or 1938—the Navy succeeded in bringing about the acknowledgment of a "Protocol" by the Airforce, which contained the basic rules for the organization of naval aviation. This concerned a listing of a minimum of requirements, without the fulfillment of which the Navy would be unable to wage war at sea. Naval aviation leaders in the North and the Baltic Sea were assigned to the naval group Commanders [*Marinegruppenbefehlshabern*] West and East, who were in charge of committing the Naval Air Force according to the requirements of naval warfare. Joint maneuvers with the fleet took place, with the purpose of guaranteeing the cooperation between Naval and Air Forces. Here occurred the "tactical subordination" of the naval aviation leader to the particular naval commander. Torpedoes and mines —purely naval weapons—were handled by Naval Air Force units, for which special maneuvers in this field took place. Long-distance telegraphing, signal, and the reconnaissance signal procedures were settled.

A large number of former naval pilots were transferred from the Navy to the *Luftwaffe*. The number of the yearly transfers of youthful personnel to the *Luftwaffe* and the time limit were established, after the expiration of which the order to return had to follow. I recall that I had to write a personal letter to every one of the older Navy pilots and convince them of the necessity of their transfer from the Navy—*in the interest of the Navy*—and begged them, with this in mind, to continue to do their duty. Anyhow, they were only partly used in naval aviation—but were given the leadership of units which had nothing to do with naval warfare. But they, just like the old aviators transferred from the Army, formed the firm basis for the reconstruction and training so much wronged by the higher leaders later on.

One cause of the difficulty of the position of the naval pilots was based upon the fact that "observation", which meant everything to the Navy, was only considered as something secondary by the *Luftwaffe*, while the fighters and bomber pilots (*Stuka*) really represented the rest of the aircorps and were highly valued. Thus unknowingly, a breaking away from reconnaissance aviation took place, in which no further visible laurels could be gotten no matter how great the actual significance. The number of kills by the pursuit planes and the real or supposed successes of the *Stukas* and bombers were decisive with a personality like Goering in judging these arms. The numberless false reports on supposed successes (aircraft carrier "Ark Royal", the mistaking of a destroyer for a battleship in Norway, and the like) could naturally only be cleared up in the course of time. This is the manner in which the Navy entered into naval warfare against England. Naval aviation was regulated on the basis of a "Protocol", which however was more and more undermined and made more ineffective from year to year by the Commander-in-Chief of the Air Forces. Aside from the extraordinarily narrow-minded regulations issued by the Commander-in-Chief of the Airforces with regard to the wearing of Airforce uniforms by naval aviators, and with regard to their titles of rank, more and more restrictions were placed upon their activity as the war continued. During the half-year winter period of 1939/40 naval aviators had much success with dropping mines in English coastal waters to block the entrance routes to English harbors. Our destroyers were working successfully in the same field. It can only have been out of purest jealousy that in the winter of 1939/40 naval aviators were prohibited from dropping mines by the Commander-in-Chief of the Airforce. In the summer of 1940 the development of the aerial torpedo by the Navy had progressed to such an extent that its success against convoys and single merchant ships could be expected. After initial difficulties these successes actually became apparent to a pleasant extent.

Also, the production of aerial torpedoes was paralyzed by him. These two examples of sabotaging naval warfare on pure naval matters [*Marinegebieten*] would have been sufficient to arraign the Supreme Commander of the Airforce of time before a courts-martial, since he harmed the entire naval warfare because of personal reasons of prestige.

In order also to bring the naval forces [*Marinewaffen*] under his power, he created the organization of the IX Air Corps, in which all Airforce matters pertaining to naval warfare were combined, but which was not placed under the jurisdiction of the Navy. When and for what purpose parts of this corps, commanded by a former naval pilot of proven excellence, were to be at the disposal of naval warfare, was decided by the Supreme Commander of the Airforce. Thus it happened that the Navy in her operations was entirely dependent on the good will of the Supreme Commander of the Airforce. An operation could be prevented at any time if the Supreme Commander of the Airforce declared that he could not guarantee the necessary co-operation of the aircorps, that the necessary fighter umbrella was not available—which was mostly the case—and so on. Since negotiations for the commitment of aviators had always to be started at an early period of time, a surprise appearance of the Navy was often questionable. It has been mentioned elsewhere that the difficulties of the stationing of large ships on the Atlantic coast of France were caused solely by the insufficient cooperation of the Airforce; in the same manner the insufficient commitment of air strength on the West and Northern coast of Norway was a main reason for the possibility of enemy successes against our sea transports there. That the lack of any good will on the part of the Supreme Command [*Oberleitung*] also played an important part in the total disorganization and lack of planning in airplane development and production is mentioned only incidentally here. This was especially apparent in the *support of submarine warfare* by the Airforce. Considering the size of the ocean area to be covered by submarine, the small velocity and visibility of the submarine, a good and technically well done job of observation of extensive ocean areas played a major part. For a special observation unit in the Atlantic ports and a special type of long-range observation plane were necessary, on which no demands in regard to bombings were to be put. In spite of presentations of the Navy, the Supreme

Commander of the Airforce would and could not bring himself to this realization; only very much later was the BdU, given a special fighter squadron, which lacked to the extreme the necessary types and numbers of planes. It was very easy for such planes to observe and report such enemy convoys on the Atlantic and to keep contact with them and to lead their own U-boats towards them. It was up to the U-boats themselves to establish lines of observation over the large ocean. They had to reconnoiter for themselves the routes of many convoys, for which it was not difficult to withdraw from our U-boat attacks by evasive action. This must be well known to every layman, and it was a conscious and criminal sabotage of the U-boat warfare, which was our main weapon against England, that the participation of the Airforce did not receive sufficient consideration from the Commander-in-Chief of the Airforce. Admiral Doenitz succeeded in getting certain improvements in this field after Goering was as good as excluded from the Airforce. This is the main reason for the small success of U-boat warfare during the last years of the war. Taking all facts into consideration, it has to be said that the organization of the Navy Air Force in Germany was a total failure on account of the personal attitude of the Commander-in-Chief of the Airforce and the insufficient knowledge of the Fuehrer of matters of naval warfare, which should have resulted in an energetic interference in favor of the Navy. Without exaggerating, it can be said that the Navy, in itself very able, could have had different kinds of success, had it possessed a Naval Air Force of its own.

In the six-month period commencing with the winter of 1938 the Fuehrer considered the abrogation of the Naval Treaty of 1935. The behavior of England in the Autumn crisis of 1938 had made a strong impression upon him, and he was firmly convinced that England at that time was prevented from seriously considering war only because of the weak position of its aerial preparedness and as a consequence was forced to seek an agreement. The abrogation of the Naval Treaty followed, as I recall, in the Spring of 1939 (I cannot however state this with certainty from memory).

In my opinion, it was not given to the Fuehrer to grasp fully the mentality of the English. The person of v. Ribbentrop was in this connection a special obstacle insofar as he made difficult the transmission to the Fuehrer of conceptions, based on decades of experience and on historical studies of experienced diplomats like Frh. v. Neurath and diplomats of the Navy, which conceptions could have served the Fuehrer as the basis for his judgments and decisions.

It was in this respect particularly [*geradezu*] surprising that the Fuehrer around the 23 August 1939 at the Berghof in a rather long talk on the political situation, in full earnestness using all possible arguments, sought to make it clear to the generals and admirals gathered there that England, in case of a German-Polish conflict, would *not* intervene, in that England on such grounds *"had no need to wage war and consequently would not wage war."*

I recall, how after this meeting, my Chief of Staff of Naval Operations, Admiral Schniewind, completely shared my opinion that England had never as yet kept itself from a war because—seen objectively—it *had no need to wage it* (in that case it would have indeed waged few wars), but on the contrary England entered upon a war precisely if it *believed* it *necessary to wage war* in its own interest.

I had similar discussions with other high-ranking naval officers who had also heard the speech and were simply horrified by the incorrect evaluation of England. The otherwise skillful argumentation of the Fuehrer in such cases was directed more or less convincingly at such people who did not as yet know these ways of the Fuehrer. As a rule, various kinds of information which the Fuehrer received through special channels played a role, the value of which information the uninitiated could not determine. In the case of the position vis-a-vis England, I have continually expended the greatest efforts to bring the Fuehrer close to the viewpoint of the Navy, without any permanent success.

So followed, after some 8-10 days after the speech at the Berghof, the ultimatum of England and France to Germany, and therewith the outbreak of war.

[signed] Eric Raeder

TRANSLATION OF STATEMENT VIII

THE BREAKTHROUGH IN THE CHANNEL EARLY IN 1942

[BY ERICH RAEDER]

Following the occupation of the French Channel and the Atlantic Coast in 1940, numerous bases stood at the disposal of the German Navy, from which the U-boat campaign in the Atlantic could not only be waged advantageously, but which also in part represented favorable outlets for the large ships with regards to waging war on merchant shipping in the Atlantic. These bases also offered good repair facilities. The U-boat bases of the First World War, on the Belgian coast to Zeebruegge and Ostend, were located too far to the East, so that U-boats would always have to overcome the obstacle presented by the Strait of Dover when entering or leaving, and where they were suffering heavy losses. Their distribution to the French Channel and Atlantic harbors in the Second World War opened up far greater possibilities to them. If, for one part, the harbor's position was rendered more difficult through observation by enemy aircraft and their attacks on the repair docks, then for the other part, strongly protected concrete pens had been erected in time, in which the U-boats could rest and be repaired. It was not an easy task for the enemy to block the entrance of *many* such harbors by the use of mines, so that the U-boats had a much larger freedom of movement for the war in the Atlantic than had been the case in the First World War.

The position of the larger ships was more difficult because of the fact that they were to wage war against merchant shipping from the French Atlantic harbors, so that they would not have to pass the Straits of Iceland frequently. For the time being a base extended as far as possible towards the Atlantic was considered most favorable. Such a base would be one whose entrance it would be difficult to block and to observe; whose sufficient water-depth would guarantee their unlimited passage into the open Atlantic; and in whose interior safe anchorage with good facilities for camouflaging the ships and good repair facilities (docks) could be obtained. Finally, it should not be too closely located in the vicinity of enemy airdromes, and it had to be able to defend itself effectively against enemy air attacks by means of Flak (Antiaircraft), Air Force, and artificial fog.

The French naval base of *Brest* was best suited to fulfill these conditions, even though it was located only a little further than 200 kilometers from the British naval base at Plymouth. *St. Nazaire* was also taken into consideration. Although it was located further away from the British airdromes, its conditions were more unfavorable with regard to repair facilities and the entry of large ships, especially when the latter were drawing an unusually large amount of water as the result of sustained damage.

As a temporary anchorage *La Pallice* was also considered, because it was located still more distant from the British airdromes, and because it enabled ships to go on sea maneuvers without difficulty. During 1941 anchorage facilities for two battleships were provided there. However, may it be explained that already at this time an attempt temporarily to station the *"Scharnhorst"* there met with failure on the very first day of her stay. Apparently the general terrain facilitated the approach of an organized formation of enemy aircraft by day and made very easy an attack by divebombers on a ship lying at anchor there. (At that time, shortly after she anchored here after having engaged in firing practice on the way from Brest to La Pallice, the *"Scharnhorst"* was attacked by British divebombers and sustained several hits; she most hurriedly returned to Brest to undergo repairs.)

Brest was chosen as the chief base for the big ships, and as far as I can recall without the aid of documents it was used as a place of anchorage and repair by the heavy cruiser *"Admiral Hipper"*, during 1941 also by the battleships *"Scharnhorst"* and *"Gneisenau"* as well as the heavy cruiser *"Prinz Eugen"*—following the sinking of the battleship *"Bismarck"*. Because of the fact that the German ships stationed in Brest represented a considerable danger to British shipping in the Atlantic, it could be figured out from the very beginning that the British would attempt to eliminate this danger with heavy air attacks. The Navy, for this reason, had immediately drawn heavy antiaircraft guns from its reserve, and had set them up around Brest—besides those batteries furnished by the air forces [*Luftwaffe*]. In addition, in choosing certain places of anchorage and extensive camouflage, the ships had been made as good as invisible from the air. The Navy's efforts further to increase the effectiveness of camouflage was by means of using artificial fog. This, unfortunately was successful only after a considerable lapse of time, because the air force doubted its effectiveness in spite of numerous experiences encountered by the Navy in this field. This proved to be a completely false opinion, especially in territory such as the harbor of Brest, which especially favored its use. Although urgently requested, sufficient defense against fighters was not provided the Navy by the Air Forces. In spite of all this, the serious threat to the British mastery of the seas by our boats stationed in Brest was either not recognized by Goering; or, otherwise, it did not meet with his approval.

When, during the Spring of 1941 the *"Scharnhorst"* and *"Gneisenau"* entered Brest, they sustained several more or less serious hits in the course of frequent British air attacks, because of the lack of air defense which was prevailing in the beginning. Their repair was always immediately begun and completed after the attacks. These damages subsided when the air defense was completed by the use of artificial fog; the presence of a number of fighter pilots well conditioned to the problems of Brest would have completely changed the situation. The preparations for making the *"Scharnhorst"* seaworthy and her temporary transfer to La Pallice have already been mentioned before.

The *"Prinz Eugen"* sustained a light hit only once, when the artificial fog at her anchorage was used incorrectly, and as a result her camouflage was not complete.

The Navy, in any case, possessed the opinion that *with a sufficient amount of air defense* it would be possible for the large ships to remain stationed at Brest even if they might sustain occasional damage. After all, there were English battleships lying in the harbors of Plymouth and Portsmouth without allowing occasional German air attacks to divert them from there. Of course, the German Air Force could have facilitated the tasks of the German ships to a great extent by attacking British Channel airfields, but, as has been shown repeatedly, the Navy, also in this respect, was dependent on the good will of the Air Force, and it lacked the cooperation of a naval aviation, which would have made naval warfare effective to the highest degree, and which would have generally facilitated operations of the large ships in the Atlantic warfare to a great extent.

Frequent reports of air attacks which were intended for our ships at Brest made a considerable impression upon the Fuehrer, who, as has already been described elsewhere, always watched operations of the big ships with uneasiness and therefore did not like to see them. This feeling was doubtlessly increased in him during 1941 by Goering, who again and again made representations to the Fuehrer to the effect that the big ships could not be effectively protected against air attacks in Brest, and that it was not within his power—to put it more correctly, in his will, since here was a chance to rob the Navy of the opportunity of doing something important with regards to the war against merchant shipping.

In any case, towards the end of 1941 the Fuehrer entrusted me with the task of considering the question of bringing these ships back into the North Sea. He gave a number of arguments in favor of stationing the ships in Norway, in which a considerable part was played by information from the English of an invasion of Norway planned for the Spring. At this time the ships could be put to the greatest use, while on the other hand in Brest they would be again repeatedly damaged and remain idle.

On considering the question it was found that a convoy through the Straits of Iceland would be unfavorable, since the English, after having noticed the absence of the ships at Brest, would have sufficient time to concentrate their home fleet to the north of England. Therefore, if the breakthrough of the ships homewards was to take place, it had to be in the Channel as a complete surprise to the British. In early 1942 the ships would be able to sail. Before the breakthrough, they had to make a short voyage, unnoticed by the enemy, to test the machines and to do some short maneuvers and target practice. Mine-sweeping units had to search inconspicuously certain lanes—especially the Straits of Dover—for mines, and at the last moment before the breakthrough mark them with several buoys. In the French, Belgian, and Dutch harbors, preparations had to be made to harbor eventual incapacitated boats, for which purpose strong tugs were put in readiness. Above all, however, the Air Force had to concentrate its fighter units along the Channel, especially near the Straits, in such a manner that even the heaviest enemy air attacks on the ships breaking through could be successfully broken up. During a conference in the Fuehrer's headquarters, *General der Jagdflieger* (General of the Fighters) Galland was directly entrusted with this task and solved it in a magnificent manner. The difficulty was increased by the fact that the fighter units could not be moved into the Channel harbors in Belgium and Holland until the very last moment before the breakthrough, in order to avoid a premature drawing of attention. No information about the intended breakthrough could be given to the ships' crews; they naturally were under the impression that after the preparations for sailing the advances into the Atlantic would resume again. In order to keep their readiness to sail a secret, the ships were not allowed to change their positions in daytime; movements were only accomplished at night. The taking on board of personal belongings, which would have justified the conclusion of a homeward trip, was out of the question.

Preparations began in January. The sole leadership in this undertaking was with the Navy. Vice-Admiral Ciliax was the *Seebefehlshaber* [Commander-at-Sea] who led the ships breaking through and the destroyers from his flag-ship *"Scharnhorst"*. In the Channel area he was subordinated to the Naval Western Group Commander [*Marinegruppenbefehlshaber-West*] Admiral Saalwaechter in Paris, who was in charge of the whole command of sea warfare in the Atlantic and in the Channel to approximately the latitude of Yarmouth (I *cannot*, without the use of documents give an *exact* statement as to the limits of areas of command), and who therefore was also responsible for the preparations for the breakthrough in the Channel. To the north of the named limits, the chief of the group of ships breaking through entered the area of command of the Naval Northern Group Commander [*Marinegruppenbefehlshaber-Nord*] *Generaladmiral* (Chief Admiral) Carls, who led all naval operations in the North—and the Baltic Sea as well as in the North Atlantic to the Iceland Straits. Prior to the departure from Brest, a broad sea-lane was searched for mines, in order to assure the ships safety in conducting their practice-runs at night. Furthermore, numerous mine-sweeping units went into action, also mostly at night, in order to examine the planned passage of the ships in the Channel Straits, and to clear it from mines. To the north of the Channel, also, the sea lanes leading to the German Bay were searched for mines, a very necessary task because time and again enemy planes dropped single mines here in order to render more difficult the steamboat traffic between the Belgian-Dutch coast and the German Bay. Of course, with such a great distance involved, only controlled journeys could take place; *a complete clearance* of mines along the whole passage was out of the question.

The exact dates on which the breakthrough could take place have escaped my memory, just like the date in February in which it happened. The practice runs of the battleships took place without any disturbances, and without being noticed by the enemy.

On the eve of the planned departure and shortly before its execution, a heavy British air attack on Brest took place, but this did not deter them. The sailing of the three big battleships *"Scharnhorst"* (with the flag of Vice-Admiral Ciliax), *"Gneisenau"*, and *"Prinz Eugen"*, accompanied by several destroyers, took place in the early part of the night without mishap: the convoy proceeded under high speed (27 sm (?)) at distances of about 1000 m, in weather of not particularly good visibility. It remained completely unnoticed until about 1000 hours. At this time—I cannot state exactly when a British plane sighted the convoy and reported its position as being approximately in line with Dieppe. The German venture, apparently, was also this time favored by the circumstance that it had been considered as completely improbable, and therefore it caught the British leadership unawares. In addition, it is possible that the British air force units were not too well prepared in the morning after having been out on manifold attacks the previous night. In any case, it was only at about 1300 hours [?] that an attack by naval and air forces occurred in the Straits of Dover, in which, however, the torpedo and divebombers were completely repulsed by our antiaircraft and the fighters of General Galland, as well as the enemy destroyers by our naval artillery, especially that of the *"Prinz*

Eugen", which comprised the end. An enemy cruiser was also sighted some distance away from the last ship. Supporting light units coming from the Thames Estuary did not have the opportunity of attacking the ships breaking through anymore, and attacks by enemy torpedo-planes continued to be repulsed. This is how *the breakthrough in the Channel itself and in the narrow lanes of the Straits of Dover took place,* without any *losses* or damage to the ships. Unfortunately, the *"Scharnhorst"* hit a mine in the late afternoon on the steambout route to the German Bay, but this did not limit her speed; only a second hit forced her to limit her speed somewhat. In spite of all, she was still able to make more than 20 sm, and reached the Elbe Estuary the evening of the same day, similarly with the *"Gneisenau"* which in the late afternoon had also received a—though minor—mine hit, and the *"Prinz Eugen"*, which remained completely undamaged. The transfer of the battleships to Kiel for repair could proceed at once. *"Prinz Eugen"* was ready for its trip to Norway.

[signed] Raeder
30 August 1945

TRANSLATION OF STATEMENT IX

MY RELATIONSHIP TO ADOLF HITLER AND TO THE PARTY

[BY ERICH RAEDER]

I met A. H. [Hitler] personally after the acquisition of power early in February 1933, at a reception at the home of the Chief of Army leadership, General Freiherr von Hammerstein, where he (A. H.) after the repast, presented his first address to the Generals and Admirals, thereby to accomplish an "in" with the armed forces. He gave a resumé of his up-to-date activity and his general aims, particularly emphasizing that he was taking over the leadership of domestic and foreign politics, and that in the future, the Armed Forces (*Wehrmacht*) would not be considered for the purpose of domestic politics, but, entirely unhindered in its military development and training, could work for the defense of the Reich as regards internal matters.

From the very start he approached the Navy with noticeable good-will, apparently because he was informed by Admiral a.D. V. Levetzow, who joined the Party in its early stages, that due to strict rearing and exclusion from all party politics the Navy was filled with a unified soldierly spirit and was able to produce a good record.

In years past, through self-study he acquired exact knowledge of Navy politics and shipbuilding politics, so that supported by a very good memory, he availed himself of a fairly independent judgment.

The outcome of my first discourse with the "Fuehrer", I described in Part I ["The Development of German Naval Policy, 1933-1939"].

At the future discourses with the Reichschancellor, I attempted to be present as frequently as possible, to prevent his being instructed by General V. Blomberg, Commander-in-Chief of the Army, regarding Navy affairs, since it created a danger that at the distribution of funds the Navy would be shortfunded as compared to the Army. I had this experience with former Reich Defense Ministers who were Army Officers (Groener, V. Schldicher) and they — particularly the German General Staff — still advocated the view that a strong Navy for Germany was not absolutely necessary.

At the personal discourses I succeeded in gaining the Reichschancellor's confidence, mainly because I always very frankly expressed my opinion, not evading anything, while at discourses with the Army, particularly the General Staff, he was not impressed likewise. I was under the impression that very soon within him arose a sort of increasing dislike against the General Staff, since in them (Gen. Staff) he suspected a hidden resistance, at least a mental reservation (*reservatio mentalis*). At this time, his attitude toward the senior officers and toward the Army (*Wehrmacht*) as a whole was particularly friendly.

From his personal accomplishments, particularly inner and social political questions, and his speeches at Party rallies, but also from the manner in which he approached and settled military questions, I deemed that we are dealing with a really gifted man, qualified for leadership. Through argumentation of the righteousness of his opinions and convictions and by the manner in which he handled them, he knew how to maneuver into his circle everyone who had dealings with him.

Only in later years did he frequently begin to roar when a difference of opinion arose, or if he was not satisfied with agreed-upon measures.

When information or rumors arose about radical measures of the Party or Gestapo, one could come to the conclusion by the conduct of the Fuehrer that such measures were not ordered by the Fuehrer himself but rather from some Party office, whether it concerned the Church, Rosenberg's statements, or judicious blunders of some Gestapo organs. The Fuehrer generally kept the military offices in complete darkness regarding the activity of the Gestapo, the life in concentration camps, etc.

1. To what extent this total secrecy was being carried out became entirely clear to me when I heard, here in Moscow, of the cruelties of the Gestapo in camps (gassing, cremation, etc.) which were until then entirely unknown to me and surely to my comrades from the Navy. In those days I heard for the *first time* names of camps such as Maidanek and Buchenwald.

This corresponds obviously to the Fuehrer's expressed intention at the beginning of his chancellorship not to involve the *Wehrmacht* in matters of internal politics.

For the same reason, the Fuehrer very soon, indeed, forbade the Corps Area Commanders (Commanding Generals) to submit reports (as in the past) about the morale of the population, since in them (reports) were complaints about the behavior of the Party organs and their effect on the population. Such reports are the affairs of the regional leader of the NSDAP (*Gauleiter*). Thus started an entirely one-sided information to the Fuehrer, who naturally received no information from the Party organs about their own blunders, and became aware of it only when a military office would file a complaint.

The *Wehrmacht* heard only very little about the events of June 30, 1934; I, myself, hardly anything authentic. I at any rate heard *nothing* from the Fuehrer (Reichschancellor) who according to Goebbels personally shot Roehm.

In the course of future years I gradually came to the conclusion that the Fuehrer himself always leaned toward the more radical solution, without letting it on outwardly.

When the Fuehrer, following the death of Hindenburg in August 1934, occupied the office of the Reich President and thereby became the Supreme Commander-in-Chief of the Armed Forces, I, together with General V. Blomberg, General Freiherr V. Fritsch and General Goering, offered him, upon his demand, the oath of allegiance. A consideration to the contrary was out of question for me as well as for the Army Officers. A. Hitler was legally named Reich Chancellor by the most honorable Reich President V. Hindenburg; the German people, with unprecedented unity, with a vote of 98% reinvested their faith in him. He therefore could be regarded by the people as the legally arisen Leader (Fuehrer). In addition, it also became known that Hindenburg considered Adolf Hitler as his successor. In line with the prevailing estimate of Hitler's abilities, none of us could name a more suitable or commanding personality than Hitler.

After the taking of the oath, which had been set down in writing, the Fuehrer explained spontaneously that he gave assurance now, upon his oath, that so far as he was concerned he would make no fundamental changes in the structure of the *Wehrmacht.* This was in reference to the fact that the SA and SS in the first years besieged the Fuehrer again and again so that a *Wehrmacht* be built upon the foundation of the National Socialist groups in place of the old Army. Because of this, serious friction arose again and again with the Army; also the Roehm Putsch of 30.VI.1934 is said to have been based upon the foundation of this concept of the SA. Already at the beginning of 1935, the Fuehrer recognized clearly at that time that the acceptance of the plan on the part of the SA would mean an enormous delay in setting up an army which was to be ready to strike. At a big occasion in the large Opera House in Berlin he addressed the Party and the *Wehrmacht* in order to impress upon them once and for all the fact that both had their clearly delineated roles, and in order to clarify thoroughly the plans of the SA.

Later on, however, it did not keep him from organizing more and more SS *Standarten* with complete military equipment and training—this at the instigation of Himmler, who gained power for the SS following the Roehm Putsch and who diminished the influence of the SA. The SS *Leibstandarte* was an exception because it could still pass as a kind of body-guard. Prior to the outbreak of the war he told the outside (world) that the reason for the organization of these formations was the need of such units for the upholding of peace and order in territories such as Czechoslovakia upon their occupation. This according to him was not the *Wehrmacht's* job.

But, as in the course of war out of the SS units emerged "Divisions" and Armored Corps ("Panzerkorps")—which constantly increased in number, which enjoyed a certain preference regarding certain rights [*Einstellungsrechte*] which in addition, in many cases were designated as army units due to their occupation readiness [*Einsatzbereitschaft*] and battle-strength—it became clear that the real intention of the Fuehrer was the gradual penetration and finally substitution of the Army by the SS. There could be no doubt that its accomplishment *during the war,* i.e., the formation of 2 kinds of armed forces (*Wehrmacht*), of which one would be preferred, would only have a catastrophic effect on the unity of the *Wehrmacht.* I mentioned in addition that the pressure brought by Reichsmarshal Goering, and caused by his vanity, to accomplish the formation of Airforce field divisions [*Luftwaffenfelddivisionen*] with their thoroughly meager training and leadership—that is, a third type of *Wehrmacht*—could only hasten the catastrophe.

This question left the Navy as good as untouched, since this did not concern its organization. In the years of war against Russia the handling of this question by the Fuehrer created, to my regret, within me a vivid feeling of doubt in his sincerity. This doubt, which also was prompted by other occurrences (see below), resulted in shattering of my confidence and to darken my inner relationship to him.

After taking the oath under aforementioned conditions, I loyally kept the oath to the Fuehrer and German people throughout my position as Commander-in-Chief, which goes without saying for me, and also saw to it that the Navy, above all the officers of the Navy, should unanimously follow my example, because any disunity concerning this could have dire consequences for the striking power of the Navy.

As a result of my strict leadership, generally there was hardly any friction between the Navy and the Party (Nazi); at least it never reached the Fuehrer; whereas I must admit, that the situation of a large Army scattered over a wide area was much more difficult than that of the small concentrated ships and Navy garrisons. When I received reports about disputes between subordinate offices and Party offices, then I always tried to arbitrate by negotiation through the OKM [Navy High Command] with higher Party offices, which was always accomplished by special representation of my standpoint.

This in a substantial measure was a result of the prestige which the Navy generally enjoyed due to its conduct and performance; one would not dare to bother the Navy; the Party considered it "good taste" to keep on good terms with the Navy.

My difficulties arose from 2 sources, from the Leader of the SS-Security Service [*Sicherheitsdienst*] Heydrich, as well as the person of Marshall Goering. This caused me ever to exercise particular caution in order never to create an opportunity for misunderstandings which could be used against me. (Both availed themselves of far reaching listening in devices (telephone-tapping, etc.) which, I am convinced, were used on me.)

Heydrich, until about 1929 a Navy officer, was discharged by me from the Navy because of involvement in the Court of Honor concerning his unscrupulous treatment of a young girl. He never forgot this and with this attitude would influence even his superior, Himmler. Heydrich repeatedly sent in reports about my conduct to the Party Leadership and even to the Fuehrer himself, involving, for instance, the priest Niemoeller, who was in a concentration camp (he was captain of a U-boat during World War I), and similar matters. Since these accusations were unfounded and wrong, I could not only refute them, but energetically and with sharp letters returned them to Himmler, wherein I correspondingly exposed Heydrich. It also became very uncomfortable for the Security Service, inasmuch as I repeatedly intervened for the retaining of particularly capable nonAryan officers of the Navy, as well as in behalf of Jewish families (acquaintances) and thereby accomplished my aim, the improvement of their lot.

My son-in-law is himself 25% Jew [25% *Mischling*] and had to live abroad. Increased caution permitted me to get around all these risks.

The person Goering had a disastrous effect on the fate of the German Reich. His main peculiarities were unimaginable vanity and immeasurable ambition, running after popularity and showing off, untruthfulness, impracticability and selfishness, which were not restrained for the sake of state or people. He was outstanding in his greed, wastefulness, and soft unsoldierly manner. Only in the course of years of war did I realize fully that clear picture. During the only visit we, my wife and I, paid to Karinhall in February 1940 we were shown the picture of a simple and absolutely wartime-based household. According to my conviction, Hitler realized very soon his character but took advantage of him if it served his purposes and burdened him with ever new tasks in order to avoid his becoming dangerous to the Fuehrer. Goering places utmost importance on outwardly appearing particularly loyal to the Fuehrer, but despite that was very often unbelievably tactless and mannerless in his behavior to Hitler, which was deliberately overlooked by the Fuehrer. I don't know whether there existed a certain relationship between them on the basis of their former common experiences. Anyway, it was impossible in spite of all the continual requests and accusations, to achieve anything against Goering in negotiations with Hitler, no matter how correct according to facts it would be (for example, Marine flying corps—see Part I ["The Development of German Naval Policy, 1933-1939"]). In the beginning he posed outwardly as full of comradeship and friendship for the Navy; soon, however, he began to show an intense jealousy and the ambition to imitate the best the Navy could offer or to take it away in order to apply it to his "Aircorps". But behind their backs he minimized and degraded the Navy. That came to light during the partition of the Navy air corps (Part I ["The Development of

German Naval Policy, 1933-1939"]). The absolutely unobjective treatment of this question is responsible to a great extent for the failure of the German merchant—sea warfare against England, as explained in Part I ["The Development of German Naval Policy, 1933-1939"]. Goering further injured the Navy due to news about sea warfare events (battles, etc.) which he received first through his organization of the air-report-service [*Flugmeldedienst*] and which he, as the first, telephoned the Fuehrer, usually in a distorted and untruthful manner (because he himself had no clear impression at all). Therefore the Fuehrer was from the very beginning prejudiced and unfavorably inclined, thereby causing the great difficulties. Goering dropped unfavorable remarks about the Navy or me in the presence of the Fuehrer when no one was at hand immediately to contradict him, whether it be in connection with some failure of new weapons (magneto ignition, 1940) or about personal affairs. For instance: "Raeder has his Navy in good shape but he attends church." That remark of course wasn't effective because I told the Fuehrer quite clearly my position in this respect and attended church services quite openly. Concerning other cases which were the causes of the Fuehrer's dissatisfaction I could realize without any doubt Goering's instigations.

It shows the correct situation that at the time I resigned from the High Command I told the Fuehrer: Will you please protect the Navy and my successors from Goering, which he understood very well.

After the Fuehrer became the leader of State and Army my relationship to him remained one of confidence and trust and was only disturbed occasionally by his excitement during discussion, which happened more often in the course of the years. Such happened in 1937 during the air attack on the *"Deutschland"* at Ibiza, where poor information communications retarded the retaliation. In 1938 occurred a serious clash during the discussions about the caliber of the heavy artillery on the newest battleships, in which the Fuehrer did not show enough understanding of the impossibility of augmenting the caliber of the heavy Navy artillery as well as increasing the velocity to the highest possible degree.

(Concerning these technical possibilities, Admiral Witzel had the task to enlighten the Fuehrer, who still believed that it was only a question of will, which he attempted to accomplish without any specialized knowledge.) During a report in 1938, which I delivered to the Fuehrer in the presence of General Keitel, he became very insulting—as happened more often if he was moody—in that he criticized all we built or planned. Since the Fuehrer entirely condemned the results of my activity, I got up and asked to be relieved of my office. (At this opportunity the Fuehrer particularly attacked the plans of the "Bismarck" class, whose artillery was too weak and whose speed was too slow. The "Bismarck" protected itself in practice, as well as regards armor as regards speed (good 30 SM) and so well as regards unsinkability that the English and Americans suspected particular secrets in the construction of this ship.) Following his harsh expressions the Fuehrer immediately changed to a milder tone and asked me not to resign just now, regardless of my stressing that I held this office 10 years, that I was 62 years of age and could be better substituted by a younger successor. As always in such cases he attempted for a time following this incident to be unusually friendly to me outwardly. At this time the Fuehrer had planned to promote me in the spring of 1939 to Grand Admiral. This promotion took place on April 1, 1939, on Wilhelmstrasse in very honorable form. I considered my final resignation in the Spring.

The year 1938 had at its beginning experiences of a personal nature, which, though not concerning the Navy directly, caused me to lose confidence not only in Goering but also in the sincerity of the Fuehrer. The unfortunate matrimonial situation of Fieldmarshal von Blomberg made his position as Commander-in-Chief of the Armed Forces impossible. Belatedly I came to the conclusion that Goering, with all his might, strove for the post of Commander-in-Chief of the *Wehrmacht* in place of Blomberg. He favored this marriage inasmuch as it made Blomberg ineligible for this post while Blomberg believed, and even expressed himself, to this effect, that such a marriage was possible under the present system. (Goering had him shadowed in the past, as I learned from his later remarks.) When the Fuehrer asked me whom I would regard as a likely successor to V. Blomberg, I conclusively mentioned General Freiherr von Fritsch, then Commander-in-Chief of the Army. The Fuehrer declared this as impossible, since he was under accusation for moral turpitude. I know that the Fuehrer personally did not care for General von Fritsch because of his being somewhat reserved and cool, and a "brass hat character" [*Generalstabscharacter*]. I know V. Fritsch as a deeply sensitive, splendid, and irreproachable man, of utmost personal modesty. Court proceedings had been started against Von Fritsch on grounds of denunciation by some shady character, doubtless some onhanger of the Gestapo.

Goering presided; General V. Brauchitsch, who in the meantime was named successor to the Commander-in-Chief of the Army, and I, acted as judges. The cooperation of the Gestapo with the accuser was brought to light; finally an error was discovered in that the guilty party was a certain cavalry captain [*Rittmeister*] a.D. Von Fritsch, who was also subpoenaed. The witnesses from the Army and Hitler Youth who were there against General V. Fritsch testified in his favor. He was exonerated following proof of his innocence. Though it was necessary and justified, a reinstatement did not follow. Naturally he, then, could not be considered as Commander-in-Chief. He and his regiment went to Poland, where he sought and found a soldier's death in the front line.

I became convinced that Goering had a hand in this well-prepared situation, since in order to attain his goal, it was necessary to eliminate any possible successor to Von Blomberg; whereby it could be gathered that the Fuehrer personally disliked V. Fritsch and certainly welcomed his expulsion. Despite all this Goering did not accomplish his aim, since the Fuehrer could see through him too well and would not place this ambitious man as an intermediary between himself and the armed forces by investing him with the power over all armed forces. Rather, he eliminated the office of Commander-in-Chief of the Armed Forces and took over its functions himself. His operational staff was the *Oberkommando der Wehrmacht* (OKW) (Supreme Command of the Armed Forces) with General Keitel to a certain extent as its Chief of Staff (Chief of the OKW). Later I became fully aware of the dangers confronting me, when I once and for all declined the request of the Fuehrer that I become the Commander-in-Chief of the Armed Forces, because I could not survey the condition of the Army, which was the primary question. Besides, even at that time, I pondered on the thought of my resignation.

The events presented here have caused within me considerable doubt about the sincerity of the Fuehrer, since I could not believe, after the entire course of events, that he could not see through Goering's show right from the beginning. Other than that, I had no proofs strong enough to bring such doubts into the open and fully justify them.

What was crystal clear was the danger to which one was exposed if he stood in Goering's path in any way. As a result of such events, a feeling of increasing emotional depression developed within me, which in the course of the year 1938 brought upon me the realization that it would be right for me in the near future to resign from my post, because otherwise in time serious difficulties would arise as regards cooperation with the Fuehrer.

I also might indicate that even in 1934 the physicians granted me one more year to live due to circulatory disorders, which since have improved.

In the Spring of 1939 I made a new serious effort, of which I had previously informed Goering, to obtain my release by the Fall of 1939. The Fuehrer again declined, in that he could clearly visualize the further developments in the year of 1939. My advisers, particularly my faithful Chief of Staff, Captain z.See Schulte-Moenting, consistently advised me against such steps, primarily out of worry over the fate of the Navy, which was particularly devoted to me, and whose interests I promoted and defended against all opposition. I particularly emphasized that the Fuehrer made it a point personally to demonstrate his good will toward me whether on my 60th or 65th birthday or at the celebration of my 40th or 50th service anniversary. On the other hand, I naturally never thought, as long as I was in the service and in spite of all friction, of any thing but loyalty to the Commander-in-Chief of the Armed Forces, the German people in accordance with my oath, and followed the same sentiment in leading the Navy, which was under my command. In this matter I would tolerate no criticism or contradiction.

The beginning of the war in the fall of 1939 of course forced me to relinquish my intention of resigning. Naturally, the war created more frequent friction and differences of opinion due to the ever-increasing strain and nervousness of the Fuehrer. They occurred with the beginning of unfavorable war events, technical failures, further in the operations of the big ships as a whole, which always agitated the Fuehrer, and finally discussions of impossible or too far-reaching political-military plans, as especially before the war with Russia and in connection with the demand for occupation of islands and bases in the Atlantic (Azores, Cape Verde, and the Canary Island). *Technical failures* which had disturbing effects occurred, for example, in connection with the magnetic igniting of torpedoes which, before the war, we had developed very carefully and with the greatest amount of secrecy possible; and from that, connected with the launching and bubbleless run of the torpedo, we had hopes of very great advantages, especially in submarine warfare. In the Atlantic battles, great success was enjoyed in the beginning, but at the time of the Naval operation miscarriages of the submarine torpedoes increased. Once, it became evident that in higher latitudes, due to the changed magnetic conditions there, the ignition system did not work reliably, and further more counter measures (demagnitization) against magnetic ignition were already encountered on English warships, and to a certain extent merchant ships. Besides, during the cold winter 1939/1940, the torpedo proving yards in Eckenfoerde were for an unusually long time blocked by ice, so that the launching of the torpedo for the correct *depth run,* a process that had regained importance in the explosion process now in use, could not succeed quickly and carefully enough.

As a result, numerous failures of shooting below the ships also took place at first. The few successes by the U-boats at the time of the Norwegian campaign provided Goering with ample opportunity to denounce the Navy. This very much excited the Fuehrer, which at the time considerably increased my difficulty in cooperating with him.

Due to the introduction of hot high-pressure steam engines on destroyers and ships, many difficulties of a similar kind had to be overcome. But after the "children's maladies" had been disposed of, they were overcome.

Unfavorable war incidents developed in a similar manner. In February 1940 two of our new destroyers were sunk at night near the North Sea coast; they were bombed by one of the German pilots (Sergeant) completely inexperienced at sea, and resulting in great loss of life. Naturally, the system of recognition signals of the Navy should have been at fault, but had in reality been developed to a high state of perfection during the First World War already, while the pilots, despite all concerns of the Navy to guide them, had in no way yet recognized completely its importance and had also as a result of their separation from the Navy, intended by Goering, only little practice in its utilization.

That the sinking of the battleship *"Graf Spee"* and later the battleship *"Bismarck"* had a strong effect on the Fuehrer's nerves was evident. However, the effect of such occurrences was mainly overemphasized through discussion in the main Headquarters with the wholly incompetent, personal advisers of the Fuehrer (OKW) from which he already formulated an opinion, so that, after having first obtained the necessary, reliable information, I was forced at my next appearance at Headquarters to report amid violent discussion. During and after the Norwegian undertaking it was just such occurrences as the destroyer battles in Narvik, the success of English U-boats against transports and returning warships in the Skagerrak, and occasional but inconsequential night breakthrough of French destroyers (which, were placed at the time of the Norwegian undertaking at the disposal of the light French fighting forces, to support the English naval force in the North Sea and North Atlantic, along with the cruiser *"Emile Bertin"*, and a number of destroyers, proved themselves more daring and therefore more disturbing than the English) into the Skagerrak, which occasioned unnecessary excitement.

* * *

A special discussion was required for the *use of surface* warships, the use of which was the continual object of basic disagreements and finally became the acute cause for my exit at the beginning of the year 1943. Germany, despite the fact that she found herself at an early stage of fleet construction, in 1939 became involved in the war against England's mighty sea power. Although the construction of U-boats and destroyers was well underway, the number of large surface craft was still entirely insignificant. Besides the 3 ironclads [*Panzerschiffen*] and 6 small cruisers of the Versailles plan, the battleships *"Scharnhorst"* and *"Gneisenau"* (caliber 28 cc), and the heavy cruisers *"Admiral Hipper"*, *"Bluecher"* and (later) *"Prinz Eugen"* were as good as finished. I tried from the start to make it clear to the Fuehrer that with these ships *protracted* naval warfare with England would be impossible; that on the other hand, only her *offensive* waging of war on merchant shipping gave her the expectation of success, whereas the defensive in a naval war was deemed to failure from the start; but, finally that despite all successes one must count on the few large ships being expended within a reasonable space of time, in the struggle against the powerful, superior force of England. Again and again I saw to it that the ships, first the ironclads *"Deutschland"*, *"Luetzow"* and *"Graf Spee"*, later *"Admiral Scheer"*; the heavy cruisers, *"Admiral Hipper"* and *"Prinz Eugen"*; the battleships, *"Scharnhost"* and *"Gneisenau"*; finally even the battleship, *"Bismarck"*—in addition innumerable auxiliary cruisers—were committed to surprise attacks in the Atlantic and beyond that to war against merchant shipping. The results were good, thanks to the use of the element of surprise. This manner of utilizing the large ships had, besides this, the further advantage of forcing the English to protect their convoys to an ever greater degree through use of cruisers and even battleships; and because of this to definitely separate them and through constant sea duty to wear them out, all of which would not have occurred had *only U-boats* been used in the attacks against merchant shipping. The usefulness of the English fleet as a whole was thus strongly undermined. Since the Fuehrer was entirely unfamiliar with the actual conditions at sea and with naval warfare, and since he thus in no way supervised them, the operations of the large ships at sea caused him uneasiness; he "could not sleep" as soon as he knew such ships were at sea. The loss of such a ship, especially since there were so few large ships, was grave and caused a sensation. It was distasteful to him and his fighting nature that the order—according to the principles of cruiser warfare (see my books about cruiser-warfare 1914/18 issued by the Navy Archives (*Marine-Archiv*) through E. S. Mittler and son, Berlin)—always read, above all merchant vessels were to be destroyed, battles with warships of superior or equal power were to be avoided. He believed—despite all information to the contrary—that from this he could conclude a lack of will to sacrifice on the part of the naval officers, who only attacked merchant shipping. For example, he never understood that the commander of the *"Graf Spee"* would have acted more correctly, had he from the start avoided *every battle* with the escort cruisers at the mouth of the La Plata (of course, once he had engaged in battle, he had to destroy the already heavily-hit English heavy cruiser instead of (heading toward) Montevideo). At the end of 1940 and the beginning of 1941 and from then on our surface warfare in the Atlantic was so active and successful that the English had their hands full to escort convoys safely. Here, too, our successes would have been much greater, had we had available a good naval air force that would have flown the necessary reconnaissance flights and would have ensured our ships in the Atlantic ports against enemy air raids. The demurrage of the *"Scharnhorst"* and *"Gneisenau"* in Brest became so difficult, only because the air force did not devote the necessary pursuit planes to the protection of the valuable ships. The use of artificial fog, which at first was refused by the air force, already considerably improved the position of the ships. On the other hand the mighty increase of the English air force, which, still later, was markedly strengthened by the American and the development of orientation, created conditions more and more unfavorable for surface warfare against merchant shipping as the months went by, taking into consideration the view of the Fuehrer, namely to concentrate the large ships along the northern coast of Norway in order there to block the supposedly planned English landing attempt. (Breakthrough of the ships *"Scharnhorst"*, *"Gneisenau"*, *"Prinz Eugen"* through the channel at the beginning of 1942.) The huge success earned by the *"Bismarck"*, in the spring of 1941 by the rapid sinking in the Atlantic of the largest English ship, the *"Hood"*, was unhappily balanced by an unfortunate accidental hit scored by an aerial torpedo in the rudder of the *"Bismarck"*, which even if damaged, could have reached a French strong point had it not been for this chance hit. Here too, the wrong organization of the air combat forces [*Luftstreitkraefte*] played a decisive role on the German side. After the sinking of the *"Bismarck"*, the Fuehrer regarded the operation of the large ships with the greatest distrust. He realized, for a time, that it was the lack of a naval air force which basically hampered the strategy of the large ship, and was also ready, for a time, to have aircraft carriers or auxiliary aircraft carriers constructed. (The completion of [*Fertigbau*] the *"Graf Zeppelin"*, the conversion of [*Umbau*] *"Seydlitz"*, conversion of merchant vessels.) But at that time already it was no longer possible to carry through these projects without prejudicing U-boat construction, due to the lack of raw materials and labor. So finally it came to the engagement of 31/12/42, which is described in Part II, and which was the cause for a final disagreement between the Fuehrer and myself on 6/1/43. The question rapidly became acute (*"Tirpitz"*, *"Scharnhost"*) again under the leadership of my successor, Grand Admiral Doenitz, who at first submitted to the view of the Fuehrer but soon had to perceive how things actually were.

At the end of the war, *"Prinz Eugen"*, *"Admiral Hipper"*, *"Luetzow"*, *"Admiral Scheer"* were still playing a not unimportant role in the coastal battles in the Baltic Sea, where their task was to support the withdrawal of German troops.

After the loss [*Abbruch*] of the battle * * * on 31/12/42 the Fuehrer became extremely excited due to the completely unintentional but, due to the conditions, incomplete information about the course of the battle, which excitement was not only uncleverly handled, but perhaps even aroused by the only recently appointed permanent representative of the Ob.d.M. (Commander-in-Chief of the Navy) to headquarters [*Hauptquartier*]. Still at night the Fuehrer expressed to his circle of acquaintances [*Umgebung*] his varying opinions concerning the use of the large ships, as I characterized them above, and by dictating them, set them forth in the war diary [*Kriegstachebuch*] in order unequivocally to take this position regarding this question. I received the command by telephone to come to headquarters immediately but begged to have to drive there only when I had procured beyond doubt the necessary information.

Therefore I did not show up there till the evening of 6/1/43, after the external excitement had subsided. I tried first to ascertain from the naval adjutant [*Marineadjutanten*] whether the Fuehrer wished my resignation, as this would have made my position easier: I could, however, find out nothing definite.

Instead, the Fuehrer, in the presence of Fieldmarshal Keitel gave me a well thought out lecture of about an hour's duration, in which he at first complained about the false information of 31/12/42: "He is, after all, not an agreeable civilian, but the highest commanding officer of the armed forces". And with an ever more spiteful and a completely irrelevant manner, he disparaged everything connected with the large ships. He himself still criticized [*bemaekelte*] the scuttling of the fleet at Scapa Flow (1919); on such a basis one could not construct a new navy. He doubted whether the *"Bismarck's"* crew had good intentions (!) while until now, he could not praise the Navy spirit [*Marinegeistes*] enough. In brief, I realized immediately that the purpose of the lecture was a personal disparagement of the Navy, which I commanded, and therefore a personal insult. I therefore gave up every effort to disprove the wholly irrelevant statements. In this respect the assertion of Fieldmarshal Keitel, subsequently made known to me, was typical; he wondered how I had controlled myself so as to keep my composure even during the strongest outbursts. I did this purposely despite the self-restraint it required since I immediately saw that I could now put through my long-standing and oft-stated intention to resign from the High Command in such a way that no *"Eklat" would result on the outside that might be damaging to the Navy.* Besides, in the statements several points were mentioned which pointed to the influence of Goering. In concluding, the Fuehrer charged me first to hand in a memorandum in which I could once again voice my divergent opinion concerning the role of large ships. I now asked to be allowed to speak privately to the Fuehrer, whereupon Fieldmarshal Keitel and the two stenographers (who for some time had taken down in writing every word spoken by the Fuehrer) left the room. I requested the Fuehrer, who had conveyed to me in his lecture his seemingly real and, moreover, completely dissenting opinion concerning my carrying out my command [*Kommandofuehrung*] and its result, to relieve me of my position as supreme commander [*Kommando als Oberbefehlshaber*] since I could not carry on further without his confidence. Besides, I was almost 67, my health was no longer the best, and my being replaced by younger blood [*Kraft*] was natural and suitable as I had emphasized for years. The Fuehrer tried immediately again to resume; he had not condemned the Navy as a whole, but only criticized the large ships. The age of his coworkers, in itself, was for him of no consideration, as he often enough proved in practice. My exit at this time meant, too, a further personal *burden for him*—it was the time of the awful Stalingrad battles;

the fall of Stalingrad was imminent. I explained to him that, after today's lecture, remaining was in no way possible for me, as my authority was shattered. But it was clear to me that externally my departure must follow smoothly in the interest of all—to avoid for the Fuehrer the feared burden as well as to save the Navy from repercussions. Therefore I suggested that the departure take place on the 30/1/43, the 10th anniversary of the seizure of power [*Machtergreifung*] the same day, then, which marked the 10 years I had led the Navy under his direction. That would then be completely comprehensible and would not allow ideas of difference to crop up among the people. The conception of his farewell decree would thereby be decisive. The Fuehrer agreed to the proposal and charged me to nominate, in writing, 2 officers suitable as successors. On the 30/1 he would receive me to say farewell [*Zur Verabschiedung*]. First of all I nominated General Admiral Carls as my successor, as I believed him especially qualified because of his character and his general view of all problems of warfare and organization; secondly Admiral Doenitz, the U-boat commander, a very ambitious officer and a U-boat officer in the First World War, to whom I had since 1935 entrusted the command of the U-boats and who unquestionably had great success with them. He was, however, by nature adapted one-sidedly to U-boat warfare, and did not possess the requisite overall view of all the problems of *total warfare* [*Gesamtkriegsfuehrung*]. Should the Fuehrer, however, now want to stress that in his opinion the U-boat arm was in the foreground, then the choice of Doenitz would therefore have been rightly made. The dismissal was made public at the appointed time and therefore known of; it was drawn up with good will and admitted of no differences of opinion. The Fuehrer bestowed upon me the title of *Admiralinspector* of the Navy, with which no active duty was connected. Nevertheless, it caused general attention, that I did not receive an *actual* decoration, as only the bestowal of the Great Cross of the Iron Cross [*Grosskreuz des Eisernen Kreuzes*] could have been considered because I had received as the latest decoration the Knight's Cross of the Iron Cross after the Polish campaign in 1939. Goering was awarded the Great Cross along with the post of Reichsmarschall after the French campaign, while the Navy operation went completely unhonored. No honor could be awarded on the same level as that awarded to Goering. So, too, I was informed at my departure, that I could only receive the Great Cross when a higher honor could be arranged for Goering, which arrangement was just then in progress. In reality the Fuehrer had been offended at my ar-ranging my departure during the critical times of Stalingrad. For this he wanted to repay me by not awarding me an externally visible token of distinction, for basically he was very resentful. I put so little stock in such tokens of distinction, especially when they were awarded for such reasons, that my joy over my finally attaining my departure the way I wanted it could in no way be dimmed. The Fuehrer expected that he would want to take my expert advice into consideration in the future—which, however *did not once occur* in the years 1943-5. I myself asked for and received useful information about every 3-5 weeks from the Naval War Command, which was located in Berlin, about the overall war picture through an officer from the Navy army-airforce, around the beginning of 1944 in Eberswalde (near Berlin) and vicinity, and only at the beginning of 1945 moved to Wilhelmshaven, and finally to Ploen-Eutin in Holstein. So that I was always informed, *should* the Fuehrer *have* ever called me into consultation—which however did not happen. An officer of the OKM, besides his regular duty, functioned as my adjutant. Only twice did I receive a political assignment, namely in 1943 at the death of King Boris of Bulgaria to lead the government delegation to the tomb; the other to deliver a motor boat, a present from the Fuehrer, to the Reichs administrator of Hungary, Admiral Horthy in Budapest in the fall of 1943. In both cases I received, on the way there, personal instructions from the Fuehrer at Headquarters, where I stayed for an hour for that purpose. At the time of the Hungary trip I transmitted to the Fuehrer the wish of my friend Dr. Gessler, the former *Reichswehrminister* (1920-1928) who owned a small estate in Lindenberg in the Allgaeu (Oberbayern), to impart to one of his (Hitler's) deputies his knowledge of the attitude of the people in Bavaria and Wuertemberg, which bothered him, and of the necessity for a change in propaganda in those regions. Since it was a question of political matters, I requested the Fuehrer to determine a political personage to receive the commission to contact Dr. Gessler whom the Fuehrer, as he himself said, considered as an unquestionably reliable man. He charged Himmler to send one of his deputies to Dr. Gessler, and there followed a satisfying conversation between Dr. Gessler and a higher police general from Munich to whom Dr. Gessler explained his anxieties: the discontent of the Bavarian people revived separatist movements in Bavaria, mismanagement of propaganda—whereby he thus acted in the interest of the *state administration of that time* [*damaligen Staatsfuehrung*]. I shall come back to this later in connection with the 20/7/44.

Besides, the Fuehrer attached importance to the fact that externally his relationship to me seemed normal and good. He knew that I was well thought of in all the really important circles of the German people, and that they generally had great faith in me —this in contrast to Goering, v. Ribbentrop, Dr. Goebbels, Himmler, Dr. Ley—but the same went for, for example, Freiherr v. Neurath (next to last Reichs Foreign Minister), Graf V. Schwerin-Krosigk, Schacht, Dorpmueller, and others. In a very nice way the Fuehrer commemorated on the 16 April 1944, my 50th year of service (entrance into the Navy on the 16/4/1894), by sending me by way of the Navaladjutant, along with his good wishes, a dedicated and very valuable oil painting by Van der Velde (naval battle of 1690 at beachy head between the English and the Dutch and the French).

Once more I came into a critical situation at the time of the attempt on the Fuehrer's life on 20 July 1944. I had not the slightest notion of the events and preparations, did not at all know the main characters, and had never thought such a measure on the part of *soldiers* toward their Supreme Commander possible—a bomb without the placer himself there, but who brutally endangered many good comrades; therefore despicable, wholly unsoldierly behaviour. By coincidence we did not hear the radio on the 20/7 and learned of news of the attempt only on the morning of 21/7 from the press. On the morning of the 21st, already, our dentist, Dr. Weber, asked us if we knew that I was to have participated in the attempt. We denied this, but realized from the dentist's words that already rumors were being spread about concerning my participation; therefore that a hunt was in progress that must have had its origin in Goering's or Himmler's department and could have the worst consequences for me. Still on the 21st, therefore, I telephoned Admiral Wagner at the headquarters [*Hauptquartier*] and asked him to arrange permission for me to be able personally to express to the Fuehrer my glad feelings at his deliverance. During the night of 21/22 came the affirmative answer. I heard later that at headquarters they had turned the idea over in their minds to let me come "to a hearing". Early on the 22 of July I flew to headquarters with the hitherto *Generalstabschef* (Head of the General Command), where I first greeted General Guderian, who had just taken over the position of Chief of the General Staff of the Army, and who made a good, sound impression on me. So then according to his wishes, I saw Goering, who was mainly interested in the commitment of his Goering division (or corps)—with a situation on the eastern front that seemed definitely catastrophic to me. The Fuehrer himself I could greet in a larger circle before the start of the situation conference which I had previously been invited to join. The situation at the eastern front was throughout desperate; there were widespread breakthroughs; few reserves came up. Goering's conduct at the conference was pitiful; he tried to give the impression—probably due to my presence—that he had something important to say. He sat quite near the Fuehrer, who, however, in no way took notice of his chatter and mostly turned away from him. Here, too, he tried to influence the disposition [*placierung*] of his "Division Goering"; although there were great gaps to be filled in, of larger viewpoints he seemingly knew nothing. After the conference, I had lunch with the Fuehrer, whose right forearm was only a little crushed, and whose hearing had suffered a little. Usually he ate lunch alone. He told of the outcome of the attempt and showed me where it had taken place. It must be characterized as a miracle that the Fuehrer came away almost unhurt, whereas the others present were more or less seriously hurt. The perpetrator, Colonel Graf Stauffenberg, subordinate to the Chief of the Reserve Army and Production, himself a brave soldier who in earlier battles had lost one arm and one eye, and who enjoyed great respect in the Army, had himself placed the brief case with the time-bomb [*Sprengapparat*] under one end of the table on which the situation maps were spread out, and just before the beginning of the conference went out supposedly to telephone. He did put a call through, but did not wait for the connection; instead he drove immediately by car to the airport and from there flew to Berlin. Therefore he did *not* know the result of his attempt. The Fuehrer sat down at the map table [*Lagetisch*] about ⅓-¼ the length of the table away from the end under which the bomb lay, had his right forearms placed on the heavy table top. At the detonation—two detonations, one following the other in rapid succession, were perceived by Hitler as well as by others; therefore also 2 detonators were found—the shorter part of the table top at the right of the Fuehrer was cracked nearly up to where he was sitting, from which, however, he only suffered the crushing of his right forearms, while even his legs remained uninjured. The wounds of the others present proved to be very serious. One stenographer had both legs torn off, and the Chief of the General Staff of the Airforce was fatally injured. The injuries consisted either of burns—as for example with General Jodl, who however soon returned to work, with *Kontor-admiral* v. Puttkammer, and with Commander [*Kapitaen zur See*] Assmann—or in the decomposition of the blood, as with General Schmundy, who, despite many blood transfusions, finally died. One officer was thrown out of the window onto the ledge and thereby wounded. The effectiveness would have been much greater, had it been a matter of a massive building with a solid roof and a reinforced floor. Since neither conditions were present, since no resistance was encountered, the main explosion occurred higher up and lower down, having correspondingly less effect on the side. The ruins, however, made an awful impression. The explosive was of English origin; Graf Stauffenberg's wife was an Englishwoman.

Graf Stauffenberg's explanation that the attempt had succeeded cleared from complicity the other participants, who for the main part were subordinate to General Fromm, Chief of Armament and the Reserve Army [*Ruestung und Ersatzheeres*]. He, General Fromm, was to my mind, in no way involved in the situation, although his main coworkers, General Olbrecht and his subordinate, Graf Stauffenberg, were the main conspirators. He, Fromm, was also immediately arrested by them. The organization of the uprising was, in my opinion, really deplorable, and therefore doomed to failure from the start.

At the main headquarters they immediately tracked down Graf Stauffenberg as the originator of the attempt, through the announcement of the telephone operator to Hitler, who had left the map room, that Graf Stauffenberg had put through a call and without however completing it had taken off for the airport. A telephone conversation informed Dr. Goebbels of the situation before Graf Stauffenberg arrived in Berlin. Everything else is well known.

When I explained to the Fuehrer, before my departure, that I was prepared at any time to throw away my life for the German people, he, realizing therefrom my great concern for the present situation, expressed—as always in such cases—his confidence that he would "soon again bring order" to the situation in the east.

Before my departure I called the attention of Hitler's SS guards to the fact that they had let me eat lunch alone with the Fuehrer with a loaded revolver, which would have made very much easier the carrying out of an attempt—even had such only occurred through a fit of insanity. (At that time I carried *for my own safety* a loaded revolver close at hand in my pocket.)

My appearance at main headquarters apparently surprised my opponents to such an extent that they ceased their slanderous attempt to connect me with the 20th of July.

Numerous arrests continued to be made, partially from lists found on a few outstanding personalities, in which lists were entered the names of people found suitable by the regime, often without the knowledge of these individuals. Therefore I too soon received a letter from a camp, near Fuerstenberg/Mecklenburg, from the above mentioned former Minister of the Armed Forces [*Reichswehrminister*] Dr. Gessler, who was also supposed to be connected with the 20.VII.44 at the time he had proved his loyalty to the regime, particularly by his behavior in November 1943. As a likely suspect he now was accused of a joint excursion with Fehr, former Minister for Provisions, as well as a meeting with Hermes, former Minister of the Central Office at the time of the attempted assassination. Dr. Gessler now requested me to arrange an immediate meeting with the Fuehrer to prove at once his innocence, which I, as well as the Fuehrer, must have known. I immediately forwarded the request, through Admiral Wagner, by telephone to the Fuehrer, who agreed and arranged for an immediate interview with Dr. Gessler.

I notified Dr. Gessler as well as his wife at Lindenberg (Allgaeu). However, I later learned that the letters never arrived. After about two weeks, I made inquiry from Admiral Wagner concerning the meeting with Dr. Gessler. He notified me that the SS Organ at headquarters had sent word that at consequent interrogations Dr. Gessler had admitted knowledge of and participation in the attempted assassination. Assuming to have heard the truth from the official organ, I notified the Fuehrer by telephone through Admiral Wagner of my intention to discontinue my efforts and that I would also inform Dr. Gessler and his wife. My letters again did not arrive, as I later learned.

All this took place during August/September 1944. In March 1945, I was notified by telephone by a Director Schmidt that Dr. Gessler had been dismissed from the camp and was now in the Hedwig Hospital (*Krankenhaus*) at Berlin to regain his health, before departing for Lindenberg. On the same day I looked him up and found him in bed, broken in body and spirit.

Upon my request to tell me of his actual experiences, he went into minute detail. He had not received my letters, particularly not the first one, in which, for his exoneration, I had through portrayal of his behavior towards the Fuehrer in November 1943, brought proof of his utterly incontestable loyalty to the State.

At first the treatment was quite bad, but it suddenly improved somewhat, apparently when the Fuehrer's order for his immediate interrogation had arrived. The tone for his abusive treatment had been decreed by Criminal Counsel [*Kriminalrat*] Lange, who was widely known for such tactics. The food was entirely insufficient; some prisoners screamed from hunger.

Other prisoners were frequently whipped. Schacht was imprisoned across from him. The cells were frequently inspected for cleanliness by Criminal Counsel Lange, who remarked to him that, as former Minister of the Armed Forces, and having had experience in such matters, his cell should really be cleaner. On such occasions, he would not answer, to avoid being slapped in the face. Already at the first interrogation, he was tortured by the pushing of sharp wooden wedges with an instrument between his fingers, causing excruciating pain. He was given an inspection to enable him to endure the pain at all. I myself saw the scars between his fingers. To the questions and remonstrations of Dr. Gessler, he was told that *this torture was carried out on orders of the Fuehrer.* On that day, March 6, 1945, I took off the golden medal of honor, which the Fuehrer had bestowed upon me in 1937.

At one time, during Dr. Gessler's interrogation, Admiral Canaris was led by on the street and Dr. Gessler was asked if he knew him. Naturally he knew him from his Minister days. Canaris too had been arrested after the 20.VII and *apparently* was greatly depressed. He was at all times very *pessimistic* but, on the whole *extremely cautious.* I never did hear the real reason for his arrest. It was rumored, however, that incriminating diaries had been found in one of his safes. Some time before Dr. Gessler's release, the documents on Gessler were supposed to have been sent to the People's Court at Berlin for a verdict. *Nothing punishable* or *otherwise incriminating* was found in them, whereupon he was released, after being imprisoned though innocently for more than 6 months. I took it upon myself to telephone the good news through the Postoffice at Lindenberg to his wife and to tell her that he would soon be with her. Director Schmidt of the MAN and I made an effort to obtain some special traveling conveyance, since Dr. Gessler's condition would not permit traveling on the usually overcrowded trains. It would have been possible to send him on a hospital train as far as Munich or Augsburg, but there would have been some delay. We therefore preferred to use a remodeled MAN truck, Dr. Gessler being one of the board of directors. After several rest periods he was brought to Lindenberg. There he not only enjoys the confidence of his more intimate fellow countrymen, but also a high regard in all of Bavaria as well as in a portion of Wuertenberg. Gessler's information, which he, incidentally, gave very reluctantly and did not wish to have passed on because he felt ashamed for Germany, was the first of this kind which I received in regards to the consequences of the 20.VII. I learned in addition that acting General Joachim von Stuelpnagel, a highly respected officer, formerly on Hindenburg's staff, was imprisoned for about 3 months without any proof of guilt, and then was freed. Even an officer of the Command for Naval Warfare, reserve Lieutenant Commander [*Korvetten Kapitaen der Res.*] was without reason held for several days, but was then released, through determined efforts of a comrade. Court proceedings are made public in the press. Dr. Goerdeler was a capable man in matters of economy, but was not an outstanding person. The preparations for the Putsch were utterly insufficient and childish, especially pertaining to the work of the generals in Berlin. Fieldmarshall v. Witzleben, supposedly a Reichspresident of some sort, had been ill for years from stomach and intestinal ulcers and underwent successive operations.

Acting General Beck was a very sensible, intelligent member of the General Staff, sort of a Moltke type but not an energetic, hard man, such as was required to maintain close order, when Himmler with his organization stood on the other side.

Acting General Hoeppner, temporarily demoted to an ordinary cavalry soldier, was a capable, wiry soldier, constantly in conflict with the Party, and deeply resentful of his treatment, ordered by the Fuehrer in the winter of 1941/42, for having supposedly acted against the Fuehrer's press orders (see further on). In the new constellation he was supposed to step into General Fromm's place, which never did come about. Fromm, incidentally, was exonerated from any guilt in the attempted assassination. The *military* court, however, sentenced him later on to death for cowardice and he was shot. (It is supposed that he did not protest sufficiently against his arrest.) The justness of this verdict must be greatly doubted.

The plot was in its detail insufficiently thought out and psychologically incorrectly carried out. Therefore, the criminally attempted assassination suddenly showed the German people a deep conflict and consequent danger, which passed through its circles, above all, through the ranks of the soldiers.

The word "Treason" was increasingly heard, particularly wherever there was failure. As I heard, during a discussion of the situation at headquarters on the 22.VII the collapse of the center at the east front was to be traced to the propaganda activities of Generals Paulus and v. Seydlitz and their associates. They were induced to retreat through German-speaking representatives (German prisoners of war, for instance, officers with corresponding commands). To what extent the leaders used such communications to cover up their own mistakes, I naturally could not judge. I heard nothing further about the Fuehrer's activities at the main headquarters and of the headquarters themselves, during the time following the attempted assassination (see further on).

Aside from I.II.1943, at the time of the surrender of the OKM post, I saw Grand Admiral Doenitz one time in my home, as he congratulated me on my birthday; one time in April 1944 in the name of the Navy on my 50th anniversary in the service; one time in the summer of 1943, when he and his wife paid us a visit; and one time at the beginning of 1945, when he, before his departure from Berlin—Lanke, upon my request, informed me of conditions in general. I myself called on him one time in 1943 or 1944 at the Main Headquarters for Naval Warfare at Lanke near Berlin, where he explained conditions to me. My wife and I visited the Doenitz family at their Berlin-Dahlem home one afternoon in 1943 for tea (return visit).

Our manner was very cool, since Doenitz's somewhat conceited and not always tactful nature did not appeal to me, and the mistakes, which resulted from his personal standpoint and which very soon were known to the officers corps, soon became apparent, to the detriment of the Navy. At another time I shall speak about the separation of technical activities, warship construction, weapon construction, etc.—about the Naval High Command and its transfer to the Speer Armaments Ministry. In this I saw, as did all experienced naval officers, a great mistake, and in Speer's superorganization, one of the causes for the collapse of replacements. But Speer flattered Doenitz's vanity—and vice versa—and so, during the long years, all the satisfactory naval fundamentals, and above all the experienced proven constructors, were pushed aside in order to make room at a critical moment for new methods and new men. Doenitz's strong political (Party) inclinations brought him difficulties, as head of the Navy; his last speech to the Hitler Youth, which was ridiculed in all circles, gave him in the Navy the nickname, "Hitlerboy Doenitz", which in one way helped his prestige. His entire manner, on the other hand, won for him however the confidence of the Fuehrer, for otherwise there is no explanation for his appointment as Administrative Chief for Northern Germany. The acceptance of this post by the Commander-in-Chief of the Navy shows how little he was still interested in the Navy, for which his capabilities as leader were barely sufficient. His releases in the new post, urging in his usual manner to persevere and to fight on, prove how little he understood Germany's condition in general. Through this he made a fool of himself and thereby harmed the Navy. In my opinion, he became most unpopular in Germany during that time.

Towards the end of March, it became apparent that sooner or later Berlin would fall to the attacks of the closing-in SU armies. On the other hand, I had heard by telephone that the German headquarters with Hitler were at Berlin and probably would remain there. I telephoned Vice Admiral Voss, stationed there, that I intended to remain in Potsdam-Babelsberg, even if Berlin and Potsdam were to be occupied. (Hitler had issued an order that Fieldmarshals and Ministers, as well as prominent Party members, were to move to the West, which it was assumed, would be occupied by British or American forces.)

The incoming reports had made the folly of continued fighting, above all the defense of Berlin etc., quite clear to me. From the middle of April on, I repeatedly attempted by telephone to obtain permission for an interview with the Fuehrer at headquarters, the exact location of which was unknown to me. On about the 20.IV. I attempted to use Hitler's birthday as an excuse for an interview. However, I was no longer admitted. I can understand that it would have been embarrassing to the Fuehrer now to finally admit to me the complete military collapse. I only heard once more on the morning of the 24.IV., through Admiral Voss, that the female personnel (stenographers) and the female relatives of the members at headquarters, who were still in Berlin, had been taken to the South and that Hitler was remaining in Berlin. Soon afterwards a bridge was blown up at Wannsee, stopping the telephone service entirely, and I had to rely on radio reports. Therefore I know nothing authentic about Hitler's fate. According to the radio broadcasts, he definitely was dead, be it that he fell in battle, as reported by the armed forces, or that he had committed suicide. In my opinion he really had no choice, having always severely criticized and ridiculed the behavior of Kaiser Wilhelm II for escaping to a neutral country instead of dying at the head of his troops, and for having dragged the German people, through his own guilt, into unparalleled, frightful chaos. I consider the rumor of a marriage to Eva Braun, and their escape to Spain or the Argentine, without foundation. I don't believe that at this time the Fuehrer would have displayed such bad taste. One rumor, which would better fit in with Hitler's disposition as a whole—never to give in, but to always look for a way out—was that he had flown in a Conder plane to Manchukuo. It is incomprehensible in which manner he could have expected to influence Japan etc., and from whom he would have found a following in or outside of Germany; after having broken and thrown the German people into unprecedented misery, thereby gaining boundless hatred for himself. Therefore, I still believe the most likely death version which would most correspond to the Fuehrer's nature, and as announced on the radio, that a cement burial place had been erected for him in his air-raid shelter in which his remains will not easily be found. Naturally, this too is only an assumption, attempting to fit it in with Hitler's ideas.

At this point, I must also add a word in praise of the Army, particularly of the General Staff. Previously I described the manner in which the structure of the army was seriously jeopardized through the continual increase of the SS organizations and formation of the Aircorps Field Divisions [*Luftwaffendivisionen*] at a time when maximum efforts had to be demanded. The army troops themselves originated from the excellent battalion of the 100,000 man army, whose expansion naturally followed faster and stronger in an unparalleled manner, as was the case with the 15,000 man Navy. Through heavy motorization and the introduction of new weapons the leaders were faced with entirely new problems. Particularly, these conditions called for very independent handling of the individual motor and tank divisions, which frequently had to rely on themselves. The division commanders were generally young generals, who in 1941 however had not had much experience, but really were quite equal to the task. The direction from the "green table", on the other hand, was less satisfactory than ever in such situations. In the late summer and fall of 1941 the Fuehrer showed his determined intention to end the Russian campaign by fall, ignoring the suggestions of General Staff Chief Halder to retreat for the winter to blockhouses behind the lines. Instead he pushed the armies forward until the tanks were frozen in and retreat could no longer be avoided. The generals who retreated, acting according to their own military convictions (General Hoepner of the northern army, and General Guderian southwest of Moscow) were summoned to a court martial and sentenced; later on, however, they were pardoned. Other generals, who had acted independently, also met the same fate. Thereafter, all independent actions of the lesser authoritative leaders were stopped and all initiative eliminated. Orders for even the smallest trifles were issued from main headquarters, which even concerned itself with the holding of small bridgeheads and other matters. The courts martial for generals were presided over by Goering, who always expressed himself disparagingly about "the generals". He used a court martial for an incident in the Crimea against an old reserve naval officer, to again strike an utterly unjustified blow against the Navy. Goering's typical ambition, to exhibit his accord with Hitler, is demonstrated by the following: *Mid-morning situation discussion:* present: Colonel Bodenschatz, adjutant to Goering. The Fuehrer considers, contrary to the Fieldmarshal's opinion, that the eastern front sector of Fieldmarshal von Bock's army group is not quite safe, and is therefore concerned.

Afternoon situation discussion: Bodenschatz informs Goering of this situation, before Goering's interview with Hitler. At the beginning of the discussion, Goering informs Hitler that for several days he has been worried about General von Bock's sector at the front. The Fuehrer sees in this the accuracy of his own judgment confirmed and is pleased that Goering always shares his viewpoint. (1941)

This is only one example, as told to me by the Fuehrer's closest OKW advisers, on the day following the event. To my question, why the witnesses had not mentioned this to the Fuehrer, I was answered that Goering's influence was still too great at this time.

A regrettable blow, of basic importance to the Army, was the retirement of Fieldmarshal von Brauchitsch as Commander-in-Chief of the Army and the transfer of the High Command to the Fuehrer himself, in so far as it dealt with the operational direction, whereas everything administrative was handled by Keitel. The replacement army (at home) and preparations, on the other hand, were handled by General Fromm. Fieldmarshal v. Brauchitsch was, without a doubt, a very capable leader and greatly admired by the Army. His manner, when conferring with the Fuehrer, was not altogether always to his advantage. For some time he had been suffering from disturbances of the circulatory system, which had increased as a result of the nerve-racking episodes on the eastern front in the fall of 1941, and had caused him to request his release 4 weeks prior to the approved time of his resignation. He really was seriously ill and it was a miracle that the crisis, which soon followed, did not end in his death.

I have always been of the opinion that it was a fatal mistake that the Fuehrer himself, who was heavily burdened with the general conduct of the war, took over the position. The Army and the people also could not understand it. The question was asked: "Is the situation so desperate that only the Fuehrer himself can save the Army?" or "Is there not a single general within the Army who would be able to lead it (v. Rundstedt, v. Mannstein, and others)?" It was a degrading factor to the Army, the largest and most important branch of the armed forces, that the Navy, the Airforce, and the SS units were led by a Commander-in-Chief from their own rank, while this was denied *only to the Army,* which would have had a right to it first, according to its importance. One could argue in rejoinder that personal leadership by Hitler could have been a special honor to the Army. However, this leadership applied only to operations. Care for the personal well-being of the soldiers, that is, the duties and privileges closest to the heart of every Commander-in-Chief, were carried out by subofficer [*"nebenamtlich"*] through other authorities. At that time it was hopeless to attempt a change in the situation.

Later, I tried to interest General Schmundt in the proposal that the eastern and the western front should each be led by a Fieldmarshal as the Commander-in-Chief of the entire army. It was regrettable that some proposals miscarried from the beginning because of certain personalities.

So, for example, it was not possible to bring about a successful cooperation in any permanent sense between the Fuehrer and one of the most capable of Fieldmarshals—perhaps the most capable —Fieldmarshal v. Mannstein, whom the Fuehrer did not like, just as he did not conceal from the Fuehrer his personal dislike.

A personality of quite a different kind must be mentioned at this time who, holding a most influential position, has affected the destiny of the *Wehrmacht* in an unsound manner—the chief of the OKW, General of the Army Keitel, a man of unimaginable weakness, who owes his long stay in his position to this characteristic. The Fuehrer could treat him as badly as he wished—he stood for it. Goering, in putting through his special wishes for the Airforce, went over his head and thus overran the *working staff of the Fuehrer* [*Arbeitsstab des Fuehrers*]—consequently he supported Keitel in his position. The Party overpowered the *Wehrmacht* from year to year in increasing measure in various questions and found in Keitel, and in his advisor in matters of inner politics, General Reinecke, who was just as weak, a willing tool.

Keitel enjoyed no prestige whatsoever in the *Wehrmacht,* which situation also naturally included the office led by him, the OKW, the working staff of the Fuehrer. For a time he fell into strong disfavor with the Fuehrer, but submitted to all humiliations and remained in his position. Probably in this situation also Goering intervened on his behalf.

General Jodl should be judged quite independently of Keitel. The former was the actual director of operations at general headquarters and filled this position for years with great calmness and expertness, with keenness of perception and with judgment characterized by singleness of purpose. He was probably the only army officer in the OKW who had from the first fully grasped the concept of "directing the armed forces" and acted accordingly. He was fully equal to the difficulties of his situation and from the first day of the war to the last, coped with them very well.

In the previous section I depicted events and personalities in the Army, in order to demonstrate on the one hand, how the structure and prestige of the Army were purposely undermined, and how this in combination with incorrect measures adopted by the leadership was a factor in precipitating the collapse: but that, on the other hand, there were most likely some persons who might have been able to exert a beneficial influence on the fate of the German Army under a proper organization and setup.

All the questions which I have discussed above were dealt with by me under the heading, "My Relationship to Hitler and the Party," since I had a better opportunity than most other soldiers (for reasons explained herein) to observe the development of the Third Reich from the vantage point of a high official position. This permitted me to devote myself exclusively to my military tasks. For that reason my exposition is entirely objective, since as a soldier I had perforce to remain aloof from internal political matters, in accordance with the requirement laid down by the Fuehrer in 1933. For instance, he forbade soldiers to join the Party, or allowed the Party membership of those who entered the Armed Forces to "lie dormant" for the duration of their military service.

Supplementary information desired about any individual questions will be furnished willingly.

Jodl had such a calm and factual way of championing his viewpoint before the Fuehrer, that a favorable atmosphere of cooperation generally was established, conflicts were avoided, and Jodl usually was able to carry his point.

THE RELATIONSHIP OF PARTY AND STATE, AS IT EXISTED IN REALITY

[BY WILHELM STUCKART*]

To the Interrogating Judge
via the Prison Office

As a supplement to my interrogation of the 7th December 1945, I am submitting the enclosed short sketch about the relationship between Party and State, as it existed in reality. I hope that this will contribute to the determination of what is true and where the responsibility lies.

Nurnberg, the 1st December 1945
[signed] W. STUCKART

The NSDAP had seized the political power not only in the political fight against the political parties, but also in the fight against the executive power which several of these parties had obtained within the Reich and the provinces. Since the executive power in the Reich and in the provinces identified itself to such an extent with the parties which were exercising it (the Social-Democrat, Democrat, Center Party, etc.) a strong antifederal feeling and attitude had originated in the NSDAP before 1933.

Once the NSDAP had seized the state power—federal and provincial—one might have thought that the NSDAP would have looked upon the state under its leadership as its own National-Socialist state. This change in feeling and attitude, however, did not take place. Although the number of Party-members steadily increased because of the officials in the state and municipal service who joined the Party, the distrust and resentment against the state and the administration remained. It was not long before all men who worked impartially, even if they had been assigned to the state or municipal service by the Party, were regarded with the strongest suspicion by this same Party, and in the course of events were for the most part more strongly opposed by the Party than were the nonParty members. Within the Party to a steadily growing extent the opinion was adopted that the state and municipal service was something second-rate, an activity which was to be evaluated as inferior to Party service. This resulted in a steadily increasing underestimation of the administrative work and a depreciatory attitude towards officials, which rose to contempt in the case of judicial officials—administrative jurists, court-jurists, etc. This opinion of the Party found its strongest support in Hitler himself, who knew only the Party-apparatus, who did not show any understanding for the state and municipal administration, and who actually despised jurists.

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*Wilhelm Stuckart served as State Secretary in the Reich and Prussian Ministries of Interior, in which he was in charge of Constitution, Legislation, Administration, and Incorporated Territories (from 1943 on). After the collapse and surrender of the German Armed Forces in May 1945, Stuckart was named Minister of the Interior, Science, Education, and Public Instruction in the Nazi government formed under Grand Admiral Doenitz (14 May 1945-23 May 1945).

The dualism between Party and state became more pronounced, the more the state administration and the municipal service attempted to accomplish impartial work and to retain or create order, and thereby caused the Party to feel itself obstructed in its supposedly revolutionary trend. In this way the state with its administration represented the factor of order obedient to the static-evolutionary principle, while the Party embodied the dynamic-revolutionary principle, which attempted to advance development in all fields still further and to make its revolutionary demands ever more extremist, and which considered the state-administration and the municipal-service an obstruction in its way.

For the achievement of its aims the Party preferred the following method: If, in its opinion, the Party did not make fast enough progress with the state organs in respect to accomplishment of its demands, it then simply executed a practical solution on the outside by means of individual actions and thereby put the state face to face with the accomplished facts, so that the state or municipal administration could then do nothing else but give the accomplished fact a legal basis and a place in the legal order.

The dualism between Party and state continually led to tension in practical matters, to opposition between the state and the Party-machine, and in many cases to personal hostility between the (officials) of state and Party. In this partly open, partly secret conflict the men of the state and municipal service were at a disadvantage and handicapped from the very first. The state and municipal administration attempted to protect its officials against the encroachments of the so-called Party dignitaries—Provincial Leaders [*Gauleiter*], District Leaders [*Kreisleiter*], Local Group Leaders [*Ortsgruppenleiter*], etc.—by letting them be given honorary service rank in the formations—SA, SS, NSKK, HJ, etc.—and thereby giving them the right to wear the formation's uniform. This served at times to tone down the external forms of the Party's conflict with the administration but did not affect the matter itself. Above all, Hitler's unfortunate statement, "The

Party commands the state," gave the Party officials practically the right of way to interfere in all the tasks and proceedings of the state and municipal administration far in excess of legally established participation, to place the officials of the state and of the communities under their tutelage in practical matters, and to disqualify these officials personally if they did not cooperate with the party dignitaries. A very substantial fraction of the working force of state and municipal officials—Mayor [*Buergermeister*], Chief Major [*Oberbuergermeister*], Provincial Councillor [*Landrat*], President of an administrative district [*Regierungspraesident*], Ministerial Officials [*Ministerialbeamte*]—was in this way worn out by unfruitful arguments and useless conflicts with the Party officials, and the quality of the official work deteriorated very much. In very frequent cases the official opposition led, as already explained above, to a personal conflict, which usually terminated with the dismissal of the state or municipal official from his office, since the personal-political report, which the Party dignitary had to submit, denied the political capability and dependability of the state or municipal official. In this respect it was again typical that this process took place especially often in the case of state and municipal officials who were older members of the Party, because they especially were defending themselves more energetically against unjustified interference on the part of Party organs than the non-Party members or the younger members of the NSDAP dared. The consequence of this opposition of state and Party, which was becoming ever more acute, was this, that on the side of the state the civil servants were gradually driven to an ever sharper, inner opposition toward the Party. Despite all that, it was not possible for the civil servants to take the front openly against the Party or to resign from it or from the state or municipal office. This would have meant the instantaneous, personal ruin of the civil servant and his family. Even the highest authorities could not do anything to protect a civil servant in such a case. The Party chancellery, which had the Fuehrer's ear, spoke the last word.

The real relationship of Party and state was nothing but a continuous, more or less open battle between the Party dogma (which was becoming constantly more intolerable) and the revolutionary principle (which was becoming more and more extremist) of this ever more rapidly degenerating Party on the one hand, and the orderly elements of the state and the administration on the other hand; with the result that a tremendously unnecessary amount of energy was used up, that a restraint and a deterioration of the federal and municipal work set in, and that an actually gigantic amount of personnel was wasted by the state and the municipalities. On the side of the Party the battle against the state and its administration actually led to a counter sorting out of the holders of Party offices who were fighting the battle. This critical review of the development of the relations between Party and state is made from the side of the state, where I took a defensive stand for over a decade and where I experienced the disharmony of Party and state in many individual instances and suffered a great deal because of it.

Besides Hitler, the responsibility for this anarchistic degeneration falls mainly on Bormann, the Party chancellery—here mainly Friedrick Farrenhorst, and Krueger—Dr. Ley, and a number of *Gauleiter,* such as Nutschmann, Streicher, Griessler, Wagner, Koch, Murr, Schwere-Koburg, Greisser, Florian, Buerrel. These men especially were the instigators in the fight against the administration and likewise against the mayors and chief mayors who, as the representatives of the municipal self-administration, actually were a thorn in their side. The highest Reich authorities, especially the administrative ministries, whose impartial work and opposition to the wild demands of the Party one tried to dispose of by labelling them bureaucratic, were also especially hated and despised by the Party. Here again, it was Hitler himself who excluded to a large extent the department chiefs and their ministries, except for a few ministers, and undermined their authority by the unfavorable and abusive remarks which he made about the ministers and the ministries to the *Gauleiters* and other party agencies.

The described relationship of Party and state — as it actually was—should contribute to a clarification of the responsibilities of the Party and state officials. In accordance with the slogan given by Hitler—"The Party orders the state"—power and responsibility shifted more and more to the Party apparatus. Equal evaluation and equal treatment of the officials of the state and municipal administration, even if they were members of the Party, of honorary leaders of a party formation, and of the officials of the party, would in no case be consistent with reality and the demands of justice. Also it would not be able to stand up before the tribunal of history, because it is not consistent with historical truth.

[signed] Dr. Stuckart

1 Dec 1945

[FAREWELL MESSAGE OF ROBERT LEY*]

Farewell. I can't stand this shame any longer. Physically, nothing is lacking. The food is good. It is warm in my cell. The Americans are correct and partially friendly.

Spiritually, I have reading matter and write whatever I want. I receive paper and pencil. They do more for my health than necessary and I may smoke and receive tobacco and coffee. I may walk at least 20 minutes every day. Up to this point, everything is in order but the fact that I should be a criminal—this is what I can't stand.

But I can not stand to be accused as a criminal. First, who will judge me? According to which laws am I to be judged? I am German and subject to German laws. I acted according to the order of my Fuehrer who was the legal Reich Chancellor and President of the State [*Reichschancellor und Staatspresident*] [?] In case I would not have obeyed, I would have been shot as a traitor and in everything they asked me about the German Labor Front, my activities as Chief of Reichorganisation, there is nothing contained that would have been detrimental to any man. There was only tremendous profit and blessings to the Germans and to foreign races. I improved the fate of many many foreigners and Germans; I built up organizations which were exemplary according to the laws of reason and life which are and were exemplary.

I recognize my failings or shortcomings. The anti-semitism was a shortcoming of all of us. It developed into a complex and into a sort of disease which got hold of all of us. We were on the defensive, confronted with a terrific fate—the destruction of our people, of unemployment, war, bombardment, etc., for which we made responsible the Jew alone, and we believe to see even a still greater danger in Bolshevism for which we made the Jew responsible again. Who will judge me because I was born at this time and became convinced of it due to personality of our superior Fuehrer and due to my surroundings. Where is law which condemns convictions? This is *inquisition.* Today, I have learned something different from what has happened—the collapse of Germany and the triumph of the Jews. Today I would solve the Jewish problem (there is a Jewish problem) differently than by defense and "anti". Today I would solve it in a positive way. However, I never hurt any Jew. There is no Jewish blood sticking to my hands and I did not persecute any Jews. I had nothing to do with the concentration camps (K. Z.). I feel sorry about my antisemitic articles and books as I have other conceptions today. Then, it was my conviction. Today, fate led me on. Too late! However, not too late in order to prove and to lead others back to the right way. I also regret my attacks against our old enemies and their leaders. These attacks were of a reciprocal nature and the result of this war. Nevertheless, I regret sincerely that they were made against such honest and great men. However, I was under the psychosis of war and believed at that time what I wrote; I was profoundly convinced of it; I can, therefore, only say: *Please forgive me, I did not know any better.*

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* During his internment in the Nurnberg prison while awaiting trial, Ley wrote prolifically. Several of his writings purported to record dream-fantasies in which he conversed with the shade of his deceased first wife. On one occasion he addressed but did not dispatch a letter to "Sir Henry Ford, Detroit, U. S. A." offering his services. The following selections from his writings while in prison are translations of documents written in his own handwriting. Many words were difficult to make out, and consequently a question mark has been inserted after each doubtful word or phrase. In addition, the reader will note a certain struggling incoherence as well as lapses in some passages. These appear in Ley's original German version, in which no modification in the course of translation has been made. They indicate the mental anxiety and instability, verging on hysteria, which characterized Ley up to the time of his suicide. *Statement XI* was evidently written by Ley after determining upon and just before taking his own life. It was found in his cell on 25 October 1945 after his suicide had been discovered.

These, now, are my crimes: that I was true to the German people, that I believed the Fuehrer, that I worked, that I was successful, and that I expressed my convictions in words and writings. Therefore, they could shoot me because I was an enemy but they can *not* sentence me for that; no law exists for that, up to our days. This law would have to be made, for men can only be sentenced for a fact which was known as a crime before the act was committed. This can not be done retrospectively. This would be contradictory to the fundamental of law. Even God respects these principles. First, He gave the laws through Moses and thereafter He punished. Why, now, do I long for death?

First, I have already said, because I can not stand the treatment as a criminal. Second, because I consider all my efforts to make reason prevail have failed. Out of my prison cell, I showed the means and ways to the Americans how to help humanity, the Jewish people, and the German people; how to solve the Jewish problem; how to stop the flood out of the East and how to build up again a Germany to the benefit of Europe and America. Evidently, they did not listen to me and they don't want to listen. Instead, they probably believe I acted only out of fear for myself. Therefore, I ask them to drop this miserable suspicion and to kill me, should they like to do so. Perhaps my death will open the eyes of the American leadership. I shall sacrifice myself in order that reason shall prevail. This is the main reason for a request to kill me.

Third, I love liberty. If liberty is taken from me on this earth, I prefer to die in order to free myself.

I am reconciled with God. I have implored His mercy and His pity and I pray for it sincerely. I have had the Holy Scripture and I believe that Christ the Lord has died on Golgatha [?] for me, too. I am not desperate. I am quite calm in God, my Maker, my Director and my Savior. His will may be done. God's will is my law. God saved me four times from sure death. Perhaps He wants me to die now.

May they return my estate to *my children* and may they not make them pay for what they think they are entitled to ask from their father. May they treat my people as a brave and honorable defeated people. They deserve it. *My idea,* I am sure, will win, purified and cleansed.

I thank all men who are around me and forgive them for everything. Lord, forgive them as they know not what they do. "This I pray also". I don't have any hatred and do not curse anybody. *I am proud to have been a German and a National Socialist,* and I am happy and thankful *to have found God* today and *to be accepted by Him.* Now comes sweet death, savior of all my suffering and leading me to God. To my Inga and to my Fuehrer.

[signed] Dr. Robert Ley

A copy of all my writings please give to my children and send them my regards.

[signed] D. R. L.

If possible please bury me in the cemetery of my ancestors [*ahnenhain*] in Rottland. If not possible, on Zeppelin Field in Nurnberg.

[signed] D. R. L.

Greetings to Madelin and family Spilicker. Greetings to my brother and sister [*geschwistern*].

TRANSLATION OF STATEMENT XII

POLITICAL TESTAMENT
[BY ROBERT LEY]

To my German People!
My political Testament!

Have I a right, after this unique catastrophe that befell the poor German people, to turn to this heroic people? For many—

I do not delude myself—many will accuse me as one sharing the responsibility. I am prepared to take this responsibility upon me. I am not trying to evade it cowardly. I belong to Hitler, not only in good but also in bad days. I have experienced the fight; I experienced victories; I shared in the years of fulfilment and in the foremost front participated in the rebuilding with personal great achievements; I was able to lead millions of workers in a heroic fight and in war. Therefore, I am prepared before all *to go through this time of severest* tests, valiantly and manly even unto death. So help me God.

I have learned to see the fateful way of Providence in everything. My self-willed obstinacy, my willpower are completely broken, and so I commit myself unconditionally into the hands of my creator to await his decision. May what he decides happen; he will give me strength to bear it. God led me to Hitler, God gave me the power of convincing speech and the ability to win people over, God let me build up such great works and organizations as the German-Workers-Front (D.A.F.) and Strength through Joy (K.d.F.) etc., God permitted my downfall and led me to this lonely, cold and bare cell, reduced me to a nobody, humiliated me as no man before was humiliated; he will take care of me also in future. Therefore, my German People, I believe that the Lord God inspired me in writing these lines intended for you. They are the product of serious pondering, which led me to the brink of insanity and desperation. It is always the same question: Wherefore, why, and wherefrom. I have searched for faults and negligence, wrongs and the evil. I have examined myself and the others. The criticism of myself halted before nothing, not even before the memory of the dead Fuehrer, the most sacred thing I possess on this earth. I have literally racked and tormented myself and have—excepting human weaknesses which are pardonable—always come to the one conclusion: *We deserted God and so God deserted us.*

In place of His divine grace we substituted our own human will, and in anti-semitism we violated one of the principle laws of His creation. Our will converted to obstinacy and our antisemitic policy became our dominating force. Looking back upon all this today, I know and could recount dozens of examples, how paralyzing and actually disastrously these two factors influenced us. Consequently our aspect was wrong; we misjudged situations and missed opportunities that could have become our destiny. *The antisemitic spectacles upon the nose of defiant and bold men* *was a disaster.* This must for once be courageously admitted. It is to no avail to evade the issue or to bury oneself even deeper in the stubbornness or even apathy. There is a reason for everything, even for this catastrophe. If it is true, that success is the only proof of the soundness of an idea, then disaster holds proof that somewhere mistakes were made. National Socialism in all its positive aspects was correct, great and powerful, and it will succeed in spite of all. On the negative side, in anti-semitism, it was correct only insofar as it was concerned with necessary protection against the flooding with Jews, especially from the East, and as long as it was necessary to fight the excesses. Also during the war this defence was necessary. Everything in addition was wrong and finally led up to those blinds which prevented us from seeing.

This is not to be considered as an exoneration of myself. My fate is small and unimportant. I am finished with the world. I no longer quarrel; I have accepted my fate. I bear my responsibility. This is no criticism of my dead Fuehrer. He is too great and too noble to be tainted by a passing mistake. That will be forgotten; his greatness will remain.

It is impossible to consider this as doubting our idea. Because all the positive, the People's Community [*Volksgemeinschaft*], true socialism, achievement as the standard for the new society, reason as the basis of all human being, all the great, beautiful and noble given to the German people by National Socialism can remain without Antisemitism and then, freed of it, will really develop and men will not have to wrest it from fate.

Certainly, it is bitter and hard to admit mistakes. There will be some who will accuse me of treason. But it is better to accept this accusation and to tell the truth than to keep fundamental knowledge stubbornly and defiantly. *This concerns the substance of the German people.* Political unity is shattered, a Reich of 1,000 years is lost; shall now the substance of Germany be lost too because we do not have the courage to free ourselves from the stubbornly followed policy of Antisemitism? We National Socialists must have this courage. Our youth does not believe our opponents. Should this wonderful German youth be lost as Carthage was lost? *Never!* Fate may demand my life, but I will gladly bear the suffering if only it will be granted to me to prevent the horrible destruction of the German Folk substance by my courageous confession. Forms may break, men may fall, parties and systems perish, but *the people must remain and must continue to live.*

In order to be successful we must take this step completely. It is not enough to say, we will no longer talk about Antisemitism, we will tolerate the Jews, we are forced to do so. No, we must take the step completely; half steps are no good. *We must eliminate suspicion* and meet the Jew with an open heart and on a clear basis. We must *purify* our relations. Without reserve and without inhibition the German and the Jew must find each other again, must make peace with each other, and must agree on a new life together for future times on the basis of their advanced knowledge. This ideological clarification is more important than economic and cultural reconstruction. The quicker we shall find the courage to it, and the clearer and bolder we take up this new position, the better for our people. Either we shall be exterminated or we are ready to take this step. Stubborn hesitation does not help, even less believing in miracles. Courageous advance on the road taken is the only salvation.

The Jew also should learn from this. At the moment he is triumphant. He is in a position to exterminate and destroy National Socialist leadership. But he cannot destroy 80 million Germans. He will not suddenly be able to conjure up a paradise in order to buy the Germans with it. The more the Jew acts out of revenge, the more embittered enemies he will make for himself. For new suffering carries with it new thoughts of revenge into almost every German family. Already today almost all of Germany is affected. Does anyone believe that antisemitism can be rooted out by that? *It will only be strengthened and stirred up.* And there is furthermore the national pride of the Germans. They will point to the grand achievements of National Socialism. For the lack of any ideals, youth will all the more cling to the old ones. The expelled Jews will not be able to return unconcerned but will be met by a secret phalanx of defense and hatred. The occupation army will depart some day. New political constellations can bring new opportunities for Germany. Nothing is eternal on earth; the least of all, peace alliances. And then antisemitism will rise again and will rage more furiously than ever before.

Above all I predict something else. The Jewish question exists in every country. A wise Jew says: Wherever Jews go, antisemitism will flame up also. An influential Jew said about North America: He knows that in 80 years the Jews will suffer great persecutions. Who can guarantee that in Bolshevistic Russia some day antisemitism will not come to life again as it was in Czarist Russia? I am even deeply convinced of this. At any rate, in Western Europe where the Jewish question was carried into every village by our occupation armies, it will not cease to stir the people's minds. I am certain of it. To be an antisemite is to occupy oneself with the Jewish question. The mystery of it already attracts all curious people and does not let them go any more.

Add to this the fact that millions of American, British, Russian, French a.o. occupation soldiers are constantly encountering the Jewish question. They have to take sides, pro or contra. And this alone will make them think. They compare. Here and there they will find confirmed some of the things the antisemites assert. They become thoughtful. They will become antisemites and thus bring antisemitism into their homes, into their countries.

Do they believe to be able to root out antisemitism by spectacular trials, even though they may be staged ever so cleverly? Just the contrary; they will only attain the opposite. The world attention is directed to a problem which can only be dealt with, if it remains in obscurity, or else, *if one finds the courage to solve the Jewish problem by open discussion and enlightenment as a consequence of the catastrophe unequalled in history.* One has to go on from where the wave of antisemitism has started. One must not abruptly retard and stop by force and terror the surge, because then one will be drowned by it; it must be caught, controlled and made to run its course. Then the stirring sea will again calm down, and it will not have the devastating effect which I predicted for certain. The German antisemites made the first step; they also have to make the second.

Jewry must make its peace with Germany and Germany must make its peace with Jewry in the interest of world peace and world prosperity.

They must not only conclude an armistice but a peace, based on reason, clear knowledge, and clear rights and duties. The Jew has to make friends with Germany, and Germany must make friends with the Jew. This will bring blessing to the rest of the world. It is time that one realizes that here we have to do with a natural phenomenon. If humanity cannot control the aroused passions, it will be ruined by them. They can only be mastered again by starting the process of calming mind and passions from its point of origin, Germany. *And here the outspoken Antisemites must be the pioneers for this new—and yet so close on hand—idea.* They must find the courage to conquer themselves and to advance courageously. The torch of conviction must burn brightly in their hands so that the people will go along on the same road.

This, God taught me in the prison-cell at Nurnberg. And now *My plan:*

1. *Formation of a committee,* where Jews and Antisemites, who are honestly determined to follow this road, meet in order to exchange their thoughts and to determine the conditions under which Jews and Germans want to live together.

2. *An executive committee,* again consisting of Jews and Germans, who will carry out these agreements.

3. *An organization* for education and propaganda to carry these thoughts into the tiniest villages.

I will not say more at present, because more would only confuse the purpose. Certainly there is much to be discussed yet in order to assure good co-operation and living together and to guarantee it. But all this would come about later.

German people! Many will judge me as insane because I write thus. They will say, he has lost his mind because of the catastrophe. Others will denounce me as a traitor, who would like to turn Germany over to the Jews. They prefer stubbornly to stand aside and perish, rather than admit a mistake. They do not recognize that I am not at all admitting a mistake, but am drawing the consequences from the events, and consequently am going the way once taken clear to the end. They don't understand *that one must first have been an Antisemite in order to reach the next phase of this recognition.* For this reason nobody has yet dared to think or act thus, because the foundation was lacking. *Therefore only you, my German* people—do not be frightened by what I am going to say now—*can dare to invite the Jew, to make his home with you.*

Is it not peculiar—one might almost believe in pre-destination—that almost all the Jews in the world speak *German.* Hatred and love dwell in close proximity.

Who, my German people, will help you economically as long as this question has not been solved? Reconstruction is a matter of confidence, but confidence may only be gained by being honest, open, and sensible. *The solution of the Jewish question in Germany is and remains the predisposing factor.* I beg of you, my German people, be a wise householder; soberly face your accounts:

You are totally defeated, but you are in possession of a magnificent idea and an excellent people.

God is showing you a way; learn from the catastrophe. Become reconciled with the Jew and invite him to find his home with you.

It would have to be the devil's doings if this work would not succeed, and a sensible "modus vivendi" could not be found. I know the way; I declare it openly.

But will the Jew collaborate? If he is intelligent, he will; should revenge obscure his reason, I cannot help this. Then at least I have done my duty, and have told humanity my insight given to me by God. If the Jew shuts his eyes to this, the world catastrophe, as I pictured it above, will run its pitiless course. But if Germany should find a solution to this question and recover its health from this solution, the whole world will recover its health and this most pressing of all questions would be solved the world over. Zionism in its present form will never lead to the goal; the Jews must find a home; Germany is ripe to grant this home within her, with her.

And what does America say to this Plan?

The age of nationalities is past; the age of races begins. Nations are no more factors; the continents will compete with one another. That is the certain—the only certain end of this war. America on one side, Asia on the other. Between the two lies Europe. Therefore, America has an elementary interest in Europe's recovery. But Europe can only recover its health if its heart, Germany, recovers. For this reason alone America is interested that Germany finds itself.

But America, as well as all peoples, is interested in the solution of the Jewish question. It knows that if no solution is found, one day it will find the same problems cropping up as in Germany. All this leads me to the conclusion that my plan is not opposed to American interests; on the contrary, that it is in the best and highest sense in the interest of America. And not only in the interest of America but in the interest of all humanity.

I know that my proposals are daring and even bold. But I also know that in these great days timidity and despondency do not lead to the goal. And if a person asks me what will Hitler, your Fuehrer, say to that, I answer him: *This Genius of unique greatness, equal to Hannibal as a military leader, certainly does not wish that Germany should perish like Carthage.*

I can only say: I dared it. Now do what you want. I leave it to God's hand, from whom I believe to have received the inspiration and the revelation. Weeks ago I was terrified by these thoughts. Then I did not even dare to touch the subject of Antisemitism. Today it is as clear as sunlight to me. I should be able to speak of it for hours. Ever so many new more complete plans occur to me. I am actually possessed by these ideas. God must now help me to deliver my plans to the right instances. I trust in Him; He will surely find the right thing.

[signed] Dr. R. Ley

[OUTLINE OF DEFENSE BY DR. ROBERT LEY*]

To: Dr. Flicker (?) with sincere gratitude for his exceptional philanthropy and comradeship.

Dr. R. Ley.

Nurnberg 24 October 1945

Defense

I. *Principles of Law.*

God Himself instituted the law. First He gave us the Ten Commandments and all moral principles and only thereafter meted out punishment. For that, he appointed independent judges in Israel, who were not permitted to make laws themselves.

The Inter-allied Powers are violating these principles of law by not setting up a law until August 8, 1945, that is *after all* the crimes mentioned in the indictment, which they wish to judge, had been committed. In making the Tribunal itself the legislator, they are again fundamentally violating the principles of law which have been handed down.

In clause six, para. c, it says: "for this the Tribunal is the competent authority * * *", or clause 8 "if this, in the opinion of the Tribunal, appears justified * * *", or clause 9 "In proceedings against a member of a Group or organization, the Tribunal can * * * rule that the Group * * * was a criminal organization."

This tendency to assign legislative power to the Tribunal is continued in the next section. It is, therefore, not surprising that the rules for the proceedings are laid down by the Tribunal alone—clauses 13 and 14 c. Therefore, it is not to be wondered at that the defense comes off badly—clauses 18 b, c, 19, 20, 21, 25. In clause 3, however, the charter protects itself by forbidding *a priori* any refusal on the part of the defendant. I understand that the victor thinks he has to exterminate and destroy his hated opponents. I am not defending myself against being shot or killed. I am defending myself, and with every right, against being branded as a criminal and against a procedure without any legal foundation, based on pure caprice.

To proceed to the indictment itself.

It is so absurd and so based on propaganda that I cannot find words to describe a procedure of this kind. Even the choice of defendants is completely biased. The indictment strikes its own death-blow. If there really was a "Nazi conspiracy", *all* Reichsministers, *all* Reichsleiters, *all* the members of the General Staff would have to be indicted, for one is as guilty as another. However, what I find most difficult to understand is what a man like Krupp von Bohlen und Halbach is doing amongst the defendants, an honorable old man who was concerned only with his business interests. What has this man to do with the "Nazi conspiracy"? The indictment is also precarious in the definition of criminal organizations. It knows that this concerns *many millions* of the best German men and women, who really cannot be branded as criminal even with the grossest of propaganda. The indictment therefore falls down in advising the Tribunal to what extent such an organization must be considered criminal. This is all so absurd that the indictment must collapse of itself.

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* The following statement was discovered among the papers in Ley's cell after he had committed suicide. It is evidently an outline in rough form of the points he would have raised in his defense if he had actually stood trial.

And now to continue with the individual three counts of the indictment.

Count I

I. *Common plan or conspiracy.* I want here to talk only of myself. I was a member of a *legal* party whose program was decent and reasonable through and through, which, before the assumption of power, had over a *million* members and *15 million* voters. It was legally called into power by the Reich President of that time, von Hindenburg, who, repeatedly, was legally elected by the nation, and it then legally (law of authorization [*Ermaechtigunsgesetz*] and many others) reconstructed the State, economy, social organization, according to its principles. This was known to everybody in Germany. That is why we gained the majority; the *people* desired it. If this is a conspiracy, then all parties in all countries are conspirator parties. In America, the whole system changes with the victory of one party. In England, the Labor Party is at present trying to put their program through, and the Bolshevik revolution in Russia has certainly cost infinitely more in blood than the Nazi Socialist one in Germany.

To give only one example: I am charged with having merged the trade unions and with having founded the German Labor Front. This action was perfectly legal; Hitler, as Reichschancellor, ordered it in pursuance of the law of authorization; von Hindenburg supported it as he was Reich President. No one turned a hair; a few dozen people were arrested for a few days for concealment and embezzlement, and what the working man thought about it has been shown by his increasing confidence in the German Labor Front over 12 years. The property and financial conditions of the trade unions were in utter disorder; the bank had no more cash; subsidies had not been paid for months; the members openly revolted against the leaders. The State had to act if it did not desire unrest. And the result was: I took 5 million members over and the German Labor Front finally had 30 million members, of which 24 million were individual members and approximately 6 million collective members. The 24 million individual members had without exception joined *voluntarily.* The contribution collected amounted to 95%—no expression of confidence can exceed this. The attitude and the achievements of the workers were so exemplary that there must have been limitless confidence in the leader. Whoever, in the face of such facts, which were (recognized) even by our opponents—Sir Patrick, the American Commission in Mondorf etc.—can therefore accuse me of being a criminal, is either completely ignorant or malicious. The wealth of the German Labor Front was multiple of what the trade unions possessed. This was naturally also the case with what the German Labor Front achieved for the workers. These were the results of the "Nazi conspiracy" in the sphere of domestic politics. It was the same in almost every other sphere. If they are crimes, the world is all topsy turvy.

And in the sphere of *foreign politics?*

I never took part in any meeting at which the alleged "criminal" plans were discussed or, as the indictment states, jointly planned. The indictment is accusing me of things of which I know nothing and it can never be proved I did.

And now a word about the "criminal" organizations, such as the "Political Leaders", "SA", etc: before our assumption of power, these organizations [existed] first in the Social Democratic Party in the *"Reichsbanner"* organization, and in the Communist Party in the *"Rotfront"* organization. It was only when they attacked our meetings that the NSDAP founded the SA, called the *Schutzstaffel* [sic]. Furthermore, the Bolshevic Party in Russia has similar organizations.

The same applies to the Fuehrer principle. Nowhere is the Fuehrer principle more rigidly laid down than under Bolshevism in Russia. Moreover, is it a crime to acknowledge the Fuehrer principle? If so, all the armies in the world would have to be "criminal organizations". In all this, the indictment is so absurd that it is evident, from this alone, that it does not desire to seek justice but rather a prejudiced basis for further assertions.

ANTISEMITISM

Whatever it is necessary to say on this subject, I have already said elsewhere. The quotations made in the indictment are torn entirely from their contexts; it is therefore necessary to present the facts of the case correctly.

We National Socialists, started by Hitler, saw in the struggles which now lie behind us, a war solely against the Jews — not against the French, English, Americans or Russians. We believed that they were all only the *tools* of the Jew and, when reading the indictment, one is almost inclined to believe that this actually was so. We were on the defensive. The disastrous end of the last war had already been attributed to the Jew. Then, particularly, the disintegration of Germany after the war, morally and economically, had to be ascribed to the increasing unhealthy influence of, above all, the Eastern Jews. There is a great deal of evidence to support this. During the war itself we believed that the inhumane bombarding of our cities and even villages was due to Jewish influence on the enemy side. There is no lack of statements on the enemy side, such as those of the Jew, Kaufmann, Morgenthau, Ehrenberg etc., demanding the complete extermination, sterilization, and destruction of Germany and of the German people. This intention was shown in increasingly gruesome detail. I would explain these statements *thus*. They were outbreaks of rage at the devilish treatment destined for the German people and at the gruesome bombing of which I was daily a witness. Today I regret these statements and I had put down how I think the Jewish problem could be solved in a positive sense.

This Jewish problem exists, and it would be better to assemble all forces which recognize it and are willing to help in solving it; better to tackle and solve the problem with courage, in the interests of the Jew and of all peoples, than to give the spirit of revenge free play and thereby pour down further misery on humanity. Now is the one opportunity; should humanity let this opportunity slip by, a much more horrible drama of wars, revolutions and the like will, in fifty years' time or perhaps sooner, be repeated. One must not think that National Socialism can be exterminated by such methods. Thus, hundreds and thousands will spring up to take the places of those struck down. An idea which gained such a complete hold of a people is neither a conspiracy nor can it be wiped out. The greatest Jew, Saul, as Paul, acted more wisely than his descendants apparently desire to act today. Revolutions are natural catastrophes which cannot be judged by standards of right or wrong; they come and go, and men must learn from them. I have honestly and sincerely said what there is to be said on this subject.

Now back to Count I, of the indictment. There is no truth to any of the charges that I had any part in the attacks on Austria, Czechoslovakia, Poland, Denmark, Norway, Belgium, Holland, Luxembourg, Yugoslavia, Greece, U.S.S.R., and U.S.A. It would be more true to say that I neither knew anything about them, nor made any plans beforehand, and was completely taken by surprise by the whole war. This war fitted into my plans like hail in a cornfield. Proof of this is that I was planning extensive "Strength through Joy" trips and activities, and that I was in the middle of my preparations for the 1939 Reich Party Rally in Nurnberg. There can be no question of a conspiracy or joint planning. Even afterwards, I was *never* consulted or included at conferences. There is, therefore, no need for me to go into the details of the indictment.

Count II of the indictment—"Crimes against Peace"—says "All the defendants * * *, during a period of years preceding 8th May 1945, participated in the planning, preparation, initiation and waging of wars of aggression, which were also * * *." So far as I am concerned, this most certainly is *not true.* I have already said above what has to be said with regard to the joint planning, that I never took part in any such meeting, and that the Fuehrer, as was his wont, *never* spoke to anybody of anything which did not concern him. The first I heard about the beginning of any operation was in the newspapers or over the radio. I freely and openly admit that, during the war, I did my duty as a German in the position fate had put me in, so that the war might be won. If this is a crime, let me be sentenced.

The indictment lays down under Count III:

VIII, Statement of the Offense.

"All the defendants committed war crimes between 1st September, 1939, and 8th May, 1945 in Germany and in all * * *." *This is not true.* I committed no war crime—not even what the indictment includes as such.

The indictment continues: "All the defendants, acting in concert with others, formulated and executed a common plan or conspiracy to commit war crimes * * *." This is equally untrue, for, as I explained above, I knew nothing of, and took no part in any plan or conspiracy.

Then the indictment refers to "total war" as proof. We understood total war as the extreme effort, achievement and employment of all German men and women in the cause of victory. This was our sacred duty. Who has the right to accuse us of it?

And now there is another "common plan and conspiracy" and, under it, I am now accused of things of which I have no idea, which I never ordered and never executed. This is a cheap way of offering evidence, but has, however, not the least connection with law and justice. Moreover, I emphatically dispute the fact that German soldiers committed crimes such as are mentioned here.

I therefore declare that I was not a participant in any of the so-called "crimes" under VIII, A to J, and that I am not responsible for them, should they have been committed. I must decline collective responsibility for the following reasons: (1) because it contradicts all sense of justice; (2) because the indictment itself accuses us National Socialists of adhering to the *Fuehrer principle.* But it is nothing but the Fuehrer principle that *someone* is responsible in every sphere and for every deed. The indictment, here, contradicts itself.

In detail, the indictment charges me with having participated in recruiting labor for Germany because, with the defendant Sauckel, I was president of the committee for the "welfare of foreign workers". This is correct but, as the word "welfare" indicates, no crime was ever committed against these workers but it was a blessing to them.

1. I never brought or deported *a single* foreigner into Germany.
2. Neither did I put *a single* foreigner *to work* in Germany, nor *supervise* or oppress any.
3. With my German Labor Front organization I did all that was humanly possible to improve their billets, arrange for their food and clothing, complete their professional training, give them just treatment and just wages; in short, I looked after the interests of the foreigners in just the same way as those of the German workers. All my orders, inspections made by myself or by the inspectors Gohdes and his colleagues, prove this fact. It is impossible to prove the contrary. If it is a crime to help men, I admit my guilt.

Now a word of a personal nature: The indictment wishes to defame us defendants also personally under Count III of the indictment, as if we had enriched ourselves. I personally never touched anyone else's property, Jewish or not Jewish. If I bought small gifts in foreign countries, I paid the price demanded without haggling or making use of my name. I received no salary from the Labor Front, but, for my position an almost ridiculous amount for my expenses. My income from the Party was 3000 RM a month. I acquired my fortune by writing, at which I worked through the night. In addition, the Fuehrer once gave me a State donation in recognition of my work.

Count IV of the indictment, "Crimes Against Humanity". The indictment states: "All the defendants committed Crimes against

Humanity during a period of years preceding 8th May, 1945 * * *" and continues "All the defendants * * * formulated and executed a common plan or conspiracy to commit Crimes against Humanity as defined * * *." Where is this plan? Show it to me. Where is the protocol or the fact that only those here accused met and said a single word about what the indictment refers to so monstrously? Not a thing of it is true. Many of the defendants were never anti-semitic, let alone participating in a "common plan".

I was anti-semitic, I admit, but is this a crime? Millions are anti-semitic in the world; anti-semitic newspapers in America are printed in over a million copies. There is no people and no country on earth without anti-semitism. A well-known Jew himself said, wherever Jews go, anti-semitism goes. Christ himself was anti-semitic and, after him, the greatest Popes, Emperors, Kings, poets and artists. Who will accuse me on account of my conviction? Was this not one of the main war aims of America and England: the fight for freedom of opinion?

In detail, I must say: I never persecuted, tortured, imprisoned nor dispossessed etc. *a single* Jew.

I had no influence with regard to concentration camps. I had no influence with Himmler. I did not appropriate any Jewish fortune—not a penny.

If I used aggressive language in my articles, I had a reason for it and regret it today. However, who is the master of his emotions when all one's emotions break out? We ended up by seeing everything through anti-semitic eyes. It became a complex and so a disaster to ourselves. It was not, however, a conspiracy—I never had a preconceived plan with anybody, not even with Hitler.

They may kill me—may do whatever they like with me. I accept the victor. I do not suffer from peevish spite or any false illusions. I accept my fate. *However, I am no criminal.*

If one wishes to prevent, once and for all, aggressive wars, and their consequences or, better, any wars at all, one should make use of this great victory to establish an international Charter, an international, independent tribunal and legal procedure and to form an international army to guarantee this Charter. This would have been *Justice.*

It would have been better for the dignity of this system of law to consider and treat us as enemies—as England did with Napoleon—or to shoot us, than by hook or by crook to construct a system of law which is no system.

This will bring no blessing to humanity and it will not please the Lord God.

I am a German and a National Socialist but I am no criminal.

HUNGARIAN RELATIONS WITH GERMANY BEFORE AND DURING THE WAR [BY NICHOLAS HORTHY, JR.*]

[This statement was written in response to the following questions:

1. What means did the Nazi government use to obtain the cooperation of neighboring European States?

Specifically, were force, threats, deceptions, or other means used against Hungary?

What conversations, correspondence, or understanding did Admiral Horthy have with Hitler, or with other members of the German Government, or Mussolini, or other members of the Italian Government?

By what means was Hungary induced to enter the war on Germany's side?

2. For what reasons did the Horthy Government break with Germany?

Why did the Nazis imprison Admiral Horthy?

What measures did Admiral Horthy take against the Germans after he turned against them, and before he was imprisoned?]

22 February 1946

Hungary took part in the Second World War against its will and against the judgment of its people, by the irresistibly forceful coercion of Germany.

I should like to explain this statement partly by well-known historical data, and partly by other material evidence.

First, in order to make the powers of a Regent more understandable in the eyes of American opinion, I shall submit a brief summary of the legal aspects involved:

The Hungarian State may be compared to Great Britain, or a monarchy, rather than to the United States.

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* Nicholas Horthy, Jr., son of the former Hungarian Regent, Admiral Horthy, served as Hungarian Minister to Brazil until 1942, when he returned to Hungary. In the Autumn of 1944, after the German occupation of Hungary, he was arrested by the Gestapo and sent to Mauthausen Concentration Camp. He was sentenced to death but, before the sentence could be carried out, the camp was liberated by the advance of the American forces. He came to Nurnberg in order to appear as a witness at the trial should the need arise. Although his testimony was not required, he wrote several statements while in Nurnberg concerning the Hungarian participation in the war. Horthy composed these statements after consultation with his father and with Lt. Gen. Koloman Hardy, who was formerly Aide de Camp to Admiral Horthy, later Hungarian Military Attache in Berlin, and finally Commander of the Hungarian Danube Fleet. Occasional lapses in these statements are explained by the fact that they were written in English by Horthy at some effort, in order to accommodate the American prosecution.

While in the United States the President is at the same time the head of the Government, and of the executive power, thus being in the position of sanctioning the laws proposed by the House and Senate, in Hungary the executive power does not rest with the head of the State, but with the Government responsible to the Parliament. Thus, when in the questionnaire and also very frequently in every day speech, and in the press, mention is made of a "Horthy Government", that, in fact, is non-existent as such.

Hungary has been a Kingdom since 1001. In 1920 it became impossible, for foreign-political reasons, to fill the vacant throne, thereupon Parliament decided to elect a Regent. (Charles Habsburg declared in Eckartsau, Austria, to abdicate as royal ruler of Hungary.) As head of the State the Regent has—with minor limitations—the legal powers equal to those of a king.

Laws were formulated by Parliament and sanctioned by the head of the State in a democratic fashion for nearly one thousand years, without any change.

Parliament consists of an Upper and a Lower House. There are free elections, and secret ballot, and there is complete religious freedom.

Generally, the Government submits the proposed legislation; the Regent can not personally propose any.

The Government executes these laws. The Hungarian Royal Government consists of eight to eleven Ministers (State Secretaries) under a Minister-president (Prime Minister). As in every other country, the Minister-president is chosen by the head of the State from members of the majority party of Parliament, to form a new Government, and then he is appointed Minister-president and the other members form the new Cabinet.

The laws are executed by regulations of ministerial and local governmental agencies, this being the responsibility of the Government and the Ministers.

Government is responsible to Parliament. If, by his own will, the head of the State would appoint a Prime Minister who does not have the confidence of the entire nation, he would find it impossible to do so, because the Government would be taken to account in Parliament, and possibly be voted out.

The basic document of Hungary's Constitution is the "Arany bulla" of 1222, this document being of almost the same age as the British "Magna Charta" of 1215.

Even there (In Sec. 31) it has been declared that a nation may resort to arms in carrying out its will. During the time the Regent was in power, in practice he could only act according to the will of the majority of the nation; every executive decree of his was controlled by the responsible Minister.

As the person of the Regent himself is unimpeachable, and may only be made responsible in very special cases, and furthermore, as all laws are acts of Parliament, and the Government is responsible for all regulations, we can not speak of a "Horthy Government".

In order to better understand the causes of recent historical developments in Hungary's present-day history, we must distinguish between, and separately consider, the following periods:

(*a*) The period following the Peace Treaty of Trianon, to the rise of National Socialism in Germany (4 June 1920–January 1933).

(*b*) National Socialist Germany's first acts, from the Party's gain of control until the Anschluss (January 1933–March 1938).

(*c*) Hungary as a non-belligerent neighbor of Germany (March 1938–April 1941).

(*d*) Hungary as forced and apparent Ally of Germany (April 1941–19 March 1944).

(*e*) The period of total occupation, to the armistice-declaration (19 March 1944–15 October 1944).

(*f*) Activities of the puppet-government of Szalasi, acting in a limited capacity, on German orders, until total occupation of the country (15 October 1944–April 1945).

(*a*) The well-known Peace Treaty of Trianon annexed, in the Spring of 1920, to the neighboring states two-thirds of historic Hungary's territory, and three-quarters of its entire population. Public opinion in the country never acknowledged as just the peace treaty resulting from the last World War, and every Hungarian citizen believed in a revision of the treaty to peaceful means.

At the same time, as a result of the Treaty of Versailles, Germany's power vanished, and up to the beginning of National Socialist rule in Germany relations between the two countries were entirely correct.

In Hungary there was a German minority of approximately 600,000, descendants of Germans settled in the country 200 to 300 years ago by Habsburg kings. During the past centuries there was never a disagreement between Hungarian State rule and this German minority; the Germans had complete freedom of language, religion and cultural choice, and at the same time they too performed without hesitation their duties as citizens of the State (similar to this was the attitude of Hungarian rule towards the other minorities in the country, such as the Romanian, Slovakian, Serbian, Croatian, Ruthenian and Vendish groups).

The Hungarians are not related to any one of their neighbors. The Hungarian language does not belong to the Slavic, German or Romance language groups, and similarly there are no racial ties between them and the surrounding German and Slavic races (the only tie, according to scientific opinion, is that with the Finns).

As a result of historical developments, on Hungary's part there is an instinctive lack of sympathy towards the Germans. Rule by the Habsburgs since 1437, a constantly increasing German influence, efforts for a forced Germanization of the country, defeat of freedom-movements against the German yoke, and finally total rule by the Germans from 1848 to 1867 has turned Hungarians fully against the Germans, a fact that can be proven even by the folksongs of the past centuries.

In its isolated position Hungary, guided by its age-old claims for righteousness and its cultural heritage, has always instinctively turned towards the Western Powers; proof of sympathetic response is found in the movement started by numerous members of the British House of Commons, deploring the injustice suffered by Hungary under the Peace Treaty of Trianon. An Easter Sunday editorial, around 1927, by Lord Rothermere in his paper, the "Daily Mail", entitled "Hungary's Place under the Sun," created great sensation, having for the first time directed the attention of the Western Powers to the untenable situation brought about by the Treaty of Trianon.

It is to be emphasized, that the Treaty of Trianon authorized the strength of the country's Army not more than 30,000, to maintain internal security only, forbade the establishment of heavy artillery units and Air Force, and placed military training under constant control of an Entent-committee. In consequence thereof, Hungary now devoid of its natural resources, was freely exposed to the whims of the surrounding nations who were constantly rearming and economically strong; and a policy that would place the country at the disposal of its neighbors would be immediately fatal to it.

Neither the high ethical standards of U. S. opinion nor the will of the people accepted the conditions imposed by the Treaty of Trianon. The well-known Fourteen points of President Wilson contain the clause that territory could be annexed only by plebiscite; and although the territories torn away from Hungary were given to the "Small Entente" without having first resorted to plebiscite, in the one place where it has been held (Sopron) the result was a victory for Hungary.

(*b*) National Socialist ideology (once it became known) caused surprise and shock in Hungary. The Hungarian people's respect for right and justice is known, and for the Hungarian the destruction of the elementary human rights by the rules of National Socialism seemed to be nothing short of unbelievable.

Approximately six per cent of Hungary's population was of the Jewish faith. Jewry as an accepted religion had equal rights with the Christian religion, and had extensive State support. More than 200,000 Jews lived in the Capital of the country, and as a result of the understanding policy of the Government there existed a strong Jewish influence in the commercial, industrial, banking but also cultural trends of the country.

The National Socialist regime, once it gained control, tried to realize its aims and policies towards the neighboring Danube countries by inconspicuous peaceful penetration.

Through a flow of tourists, singers, and other agents it organized Hungary's German minorities into a Fifth Column, and it supported the rightwing radical elements with huge sums. Small as the country was as a result of the Treaty of Trianon, it could not successfully compete with propaganda fed by vast foreign capital.

The well-known economic situation of the period 1933–1938 made it difficult for the Government to place the country's products in foreign markets. As Germany, by its great import needs and demands, was a willing consumer for most of the export goods of the country, it—in a way—became economically dependent on Germany, the more so as in the course of conference with Western Nations it could very seldom arrive at acceptable agreements.

During this time Hungary's foreign-political relations were flawless in every respect, and despite its grave situation brought about by the Treaty of Trianon it continued its existence in a relatively well-balanced manner.

(*c*) Germany, greatly strengthened in size as well as in power by its incorporation of Austria, at once became a neighbor State; and knowing only too well that the Nazi rule would not content itself with its present gains, public opinion in the country became increasingly alarmed by the feeling of instantaneous danger.

Hand in hand with this feeling of gradually losing independence came a more direct economic pressure on the German side.

There were in the country a number of Austrian interests, reminders of Habsburg times, all of which now became German property; in this way the oppressive power made itself felt more directly within the boundaries of the country. Consequential to this unfortunate neighborly position was the fact that the previously organized and paid radical traitor groups (primarily non-Hungarian elements) considered their situation more and more secure and even began to resort to overt agitation, all this creating increasing problems for the country in its poverty and helplessness.

Although German propaganda, carried on with strong measures, was seemingly successful in some instances, especially in the case of non-Hungarian individuals, general opinion and correspondingly the official attitude of Government followed along the old lines. Thus, when Hitler, before the occupation of Czechoslovakia, demanded from the Regent that Hungary simultaneously launch an attack against Czechoslovakia from the South, this wish was rejected; and similarly during the German-Polish dispute and in the following period Hungary retained a correct, non-belligerent attitude, not granting, for example, the German request to move its troops across the country; ordering, in case of violence, the blowing up of bridges; receiving the masses of Polish political and military refugees into the country; helped them and effectively furthered their movement to western countries. These facts have been repeatedly acknowledged on their side, and even today thousands of DPs in Germany gratefully remember the time they spent in Hungary.

The strongest weapon of Germany's policy was its sustaining Hungary's hopes of regaining all or parts of the territories torn from her by the Treaty of Trianon. Thus, since 1938 some of the parts lost in 1920 were re-annexed to Hungary, and being that the country was made to expect the re-annexation of further lost territory, but also in order to retain its independence and avoid occupation, the country saw itself forced to sign the tripartite agreement, although that in itself was more a matter of formality.

Hungary's relations to the Western Powers were absolutely correct. Hungarian public opinion regarded the British and French declarations of war as merely a formality, and that had no noticeable effects as regards the mood of the people or the country's continued trend towards western culture.

(*d*) On 1 April 1941 the Subovich Government of Yugoslavia removed the Regent-Council, and declaring the minor king to be adult, it set aside the Axis agreements drawn up by the previous Governments. Germany, as is very well known, responded with immediate military action, but this could only be achieved by German troop movements through Hungary, despite the latter's friendship pact with Yugoslavia.

The Hungarian Government held to its friendship pact with Yugoslavia at all costs. When this became impossible as a result of Germany's threats, in his grave dilemma Count Paul Teleki, Prime Minister, committed suicide.

But at the same time German troops began moving southward, across the country, and the newly formed Government was unable to check them, lacking military might.

Following a bombing by the Yugoslavs of the Hungarian towns Szeged and Pecs, the Hungarian troops occupied the southern section extending to the historic border-line, a territory occupied mostly by Hungarian-speaking people. The German demand to use Hungarian forces either for fighting or for occupation beyond this border, has been flatly rejected by the Government.

Germany's sudden campaign against Russia was totally unexpected by the Hungarian Government. Hungary maintained good relations with the Soviet Union, and had neither then, nor at any previous time, claims to any of the 1941 territories of Soviet Russia.

A heavy aerial attack on the cities of Kassa and Munkacs followed the German assault, having claimed many lives. As gathered from subsequent reports the attack was Russian, and this finding, as well as a simultaneous German demand, prompted the Government to its declaration of war on Russia.

Unfortunately only as late as in 1944 has the Regent been informed about the fact that Molotov had the Hungarian Envoy to Moscow called to him, and told him of his hopes of future friendly relations between Russia and Hungary. The Hungarian Envoy immediately sent a telegram, through special facilities made available to him by the Russian Government, to the Hungarian Foreign Minister, Laszlo Bardossy, who has been executed recently. However he, seemingly in order to justify his own actions in front of the Regent, kept this information from him.

Hungary's part in the war against the Soviet Union may be termed symbolical only, since in 1941 only one Corps, and in 1942 one Army was in the field against them; this latter, however, an occupational force mostly, its main activities consisting of administrational duties. This administrational activity differed greatly in its methods from those employed by the Germans, and was greatly welcome by the population in those territories.

While Hungary carried on this practically undecisive and in its effect negligible war against the Soviet Union, by circumvention of Germany its relations with the Western Allies remained cordial.

Since 1941 the Regent Horthy did everything in his power to maintain connections with the Western Powers; thus, through Rudolf Andorka, the Envoy to Madrid, communications with the Western Governments existed throughout. In 1942 he dismissed the Bordossy Government, which departed from the previous moderate and reserved policy of the Teleki Government and made promises to the Germans; and instead appointed as Prime Minister, Nicolaus Kallay, whom he knew to be trustworthy, and who later on has been taken to a concentration camp. In the fall of 1943, through the Ambassador in Ankara, Kallay brought about an agreement to the effect that Hungarian troops will lay down their arms as soon as American or British troops reach Hungary's borders. (This agreement has been initiated by the hope that British troops would be able to push through either from the Adriatic, or from the direction of Greece.)

The Kallay Government followed a policy that in any conceivable way represented the interests of the Western Powers, sympathetic to both government and the public, and at the same time best served the basic interests of the country.

For if by open resistance the total occupation would have been hastened, the economic power and capacity of Hungary, as well as its people fit for military service, would have been drawn into serving the German interests many years earlier.

In this way, however, the Germans received much less help, the country retained its sovereignty (if only legally), and the hope remained for a possible opening up towards the Allies.

All this has ended by the total occupation of the country on 19 March 1944.

We must remember that at this time active armed help could not have been expected from the Western Powers, and the example of the fate of Poland, Denmark, Norway, Holland, and Belgium showed that a determined resistance would have caused a complete loss of the country's independence, and its complete spoliation.

An agreement has been worked out between the Kallay Government and the Anglo-Saxon Allies that gave free passage rights to Allied aircraft over Hungarian territory, and gave security and Government support to pilots forced to land within the country (they received friendly welcome and very good care); on the other hand, the Allies agreed not to bomb Hungary, they lived up to this agreement until the time Germany occupied the country.

Nicholas Horthy, the Regent of Hungary, paid his first official visit to Germany in 1938. Before the German occupation of the country he visited Hitler three or four times, in each case with the purpose in mind to lessen, wherever possible, the extent of the Germans' huge military and material demands.

The Regent had no conferences with any other member of the German Government. There has been little correspondence between the Regent Horthy and Hitler. Hitler wrote for the first time when in connection with a dispute arising from the re-annexation plans of certain Eastern-Hungarian territories, the Romanians asked him to act as arbitrator. The dispute arose when, prompted by the ill-treatment of Hungarian elements in Transylvania, which was due to the aggressive and hostile attitude of the Romanians, Hungary prepared for armed intervention. Horthy gave a negative reply to this letter, as he refused to agree to the return of a part only of that historic territory, and thus in the name of the country to abstain, in effect, from claims to that entire historic territory.

When prompted by the Romanians Hitler again wrote regarding this matter, to avoid the bloodshed involved in solution of the question by armed might, he [Horthy] accepted Hitler's bid to arrive at the decision by setting up a court of arbitration.

Further correspondence, during the following period, aimed at withdrawal of Hungarian troops from Russia to Hungarian territory. This correspondence, as well as many other valuable documents have gone into the hands of the hordes, when the Gestapo troops occupied and plundered the living quarters of the Regent.

The Regent Horthy had no personal conferences with the Italian Government. He met Mussolini on a single occasion, when in 1937, on invitation by the King of Italy he paid an official visit. During that meeting there were no talks on any special political or military question.

(*e*) After years of struggle to retain the sovereignty of the country, our constant bickering had become too troublesome for the Germans, and on 15 March 1944 under the false pretext of wishing a conference on the subject of the withdrawal of Hungarian troops from the front, he [Hitler] invited the Regent Horthy to Germany. Previous to that, by way of his Chief of Staff as well as the Minister of Defense, he [Horthy] frequently demanded withdrawal of the Hungarian troops, but received empty promises only. During the Regent's stay in Germany, German troops marched into Hungary and actually occupied the country, and at the same time the Regent, who immediately broke off all further negotiations and wanted to return to Hungary, was prevented from doing so by a removal of his train, and later by further delays.

The question now arises, and rightfully, why under such circumstances the Regent did not abdicate, or did not declare that finding himself in a position wherein he is incapable to exercise his constitutional rights for the duration of the existence of the present limitations he would refrain from any further activity. To fully understand this situation we must know that Hitler solemnly promised to the Regent Horthy that in case he would appoint for the formation of a new Cabinet—in place of Kallay, who was taken away—a prime minister whom he, Hitler, would trust, he would immediately withdraw the occupying forces from the country and restore its sovereignty.

As has been mentioned before, achievement of sovereignty for the country was the uppermost principle in the State's leadership, for which it has been deemed necessary to bring sacrifices. At the same time the Regent hoped that by effecting the withdrawal of German troops he would save much of the country's wealth, products, valuables, and lives, for Hungary's future, to be rebuilt with the aid of the Allies.

And finally the only possible solution seemed to be the retaining of the Regent's office, in order to maintain the sovereignty of the nation at a time when a victory of the Allies and the war's end appeared to be certain and not very distant; then a nation that did not lose its sovereign status could save more for its future existence.

In order to view the situation in its entirety, and objectively, we must not forget that at the time of the German occupation of the Country it was surrounded from all sides by hostile armed forces, and Hitler himself threatened that at the sign of any resistance the neighboring Croatians, Slovaks and Romanians would simultaneously launch a concentrated attack upon Hungary. (In this method Hitler followed the centuries old Habsburg policy, which for its own purposes caused rivals to fight each other.)

As has happened ever so often, Hitler did not fulfill his promise, and even after the appointment of the former Envoy to Berlin, a man who was in Hitler's confidence, to Prime Minister, the country stayed under German occupational rule. Thus the very thing happened against which the responsible Hungarian Government fought, with all possible means, from the beginning of the rise of National Socialism. "To save what could be saved" was the principle now, as after the occupation our fate was evidently the same as that of the other countries opposing Germany.

In the given situation the upholding of the connections with the Allies became critical. The country was full of SS and Gestapo agents, who had strictest control over all means of news exchanges. As it usually happened in such situations, the number of selfish traitors increased, and in all important offices, but even in the immediate surroundings of the Regent, there were some who carried on spying activities for the occupants.

The Regent found contact with the Allies through Switzerland and furthermore, he had talks with the British Lt. Col. Howie, who in 1943 escaped to Hungary from German captivity. In Hungary Howie lived as a free man until the German occupation, and even then he succeeded in escaping. Even during the German occupation, Lt. Col. Howie was in contact with Poles who stayed in Hungary under the leadership of Prince Saphieha, and aided by him Howie established radio contact, through the London Polish military staff, with the British Government. Even in September 1944, on the Regent's invitation Howie and the Poles spent several days in the Regent's living quarters, in the greatest secrecy, and from there, on a secret radio station tried to contact London. It is not necessary to explain the greatness of the danger involved in this undertaking.

With the creation of the new government of 19 March 1944 further conference with the Allies created difficulties; but after a few months' struggle the Regent appointed General of the Army Geza Lakatos to form a new Cabinet. This new Cabinet consisted of a majority of soldiers rather than politicians, and in that fact the Regent saw a guarantee for freedom in carrying out measures in accordance with the wishes of the nation.

At the end of September 1944 Lt. Col. Howie and the Hungarian General Naday flew, from an airfield held by the Germans, to the Headquarters of the united Italian forces, to reestablish contact with the Allies. At the beginning of the next month the Regent sent the Hungarian General Farago, accompanied by two politicians, to Russia, for the preparation of armistice conferences.

The danger involved in these missions, which the Regent ordered on his own initiative, may be seen from the fact that as a result two men lost their lives, and Nicholas Horthy, Junior had been arrested, held in solitary confinement at the Mauthausen concentration camp, and has been sentenced to death.

Lt. General Szilard Bakay, Corps Commander of Budapest, who prepared and organized that city's defense against German attack, has been captured by the Gestapo on 7 October 1944, and also sent to a concentration camp.

On 13 October 1944 the Regent sent a representative to Szeged (the largest city in Southern Hungary, then under Russian occupation) to commence official talks with General Malinowsky on the matter of the Hungarian troops laying down their arms.

On 15 October 1944 the Regent informed the German Envoy and Plenipotentiary that he had asked for an armistice, and the Regent's proclamation has been broadcast at 12:30 noon by the Budapest Radio, and has been repeated several times later on. The proclamation spoke sharply about the Germans' behavior, as well as about the shameful attitude of the German Administration and Army towards Hungary. He declared among other things, that in the minds of all thinking persons Germany lost the war a long time ago.

This proclamation caused great relief and satisfaction among the masses in the country. But that much greater was the shock and excitement when in the course of the following hours and days the Hungarian "Quisling", Ferenc Szalasi, seized control of the country's affairs, set into this position by the Germans. At the same time the Regent and his family have been arrested, and taken to Germany, not as guests (as the press wanted it to be believed) but as prisoners, under guard of 100 SS men and twelve Gestapo Agents.

COPY OF STATEMENT XV

WHY HUNGARY WENT TO WAR AGAINST THE SOVIET UNION [BY NICHOLAS HORTHY, JR.]

May 3, 1946

1. * * * this letter * * * explains why Hungary went into the war against the Soviet Union. At the time of the declaration of war against Russia, I was Hungarian Minister in Brazil but upon my return in 1942 I was able to reconstruct the reasons which led us to declare war.

2. Practically the only reason for declaring war was that the Germans needed our participation in it. This they attained with military and economic pressure, propaganda, and baseness. I want to answer now the question itself as to why they needed our participation in the war, especially since we had nearly no army because of the peace treaty at Trianon.

3. The Germans would have liked Hungary's participation in the war earlier, but when they attacked the Soviet Union, the

Rumanians followed suit and Germany could not allow a neutral country between her and Rumania for the following reasons:

a. The Soviet troops could have attacked Germany from this side through a neutral Hungary.

b. They must send their troops and armaments to the south Soviet front through Hungary and Rumania.

c. They could import the Rumanian agricultural and industrial articles, and most important, the oil, only through Hungary on the Danube River or by rail.

d. Their route to the Balkans was through Hungary.

4. At this time the German leaders exerted pressure for our participation in the war through military sources and especially through General Werth, Chief of the General Staff, who was a great admirer of the German Army and who also influenced the pro-Nazi Foreign Minister and Prime Minister Bardossy.

5. Even though the pressure of German leaders and the pro-Nazi members of the Hungarian Government was great, my father, Admiral Horthy, Regent of Hungary, tried to resist and avoid war. It was not easy because the Hungarian people did not forget the atrocities and terrors during the communistic revolution in 1919 under the leadership of Bela Kuhn.

6. Many Hungarians were killed when the Soviets bombed the towns of Kassa and Munkacs, and after that it was impossible to avoid war.

7. Hungary made an understanding that only a small part of the little army sent to Russia would be used on the battlefront and the largest part would be used for occupation. (The Russians never complained about behavior of the Hungarian occupation forces as they did of the German occupation forces.) With regard to the above and other military or non-military agreements, the Germans hardly ever held to a promise; they lied, cheated, and with their propaganda put us in the worse light before the Allies. As much as I can follow the Nurnberg trial, I see that the Nazi leaders are still following their habit of making false statements about Hungary and my father.

8. My father did not know until 1944 (after the Germans occupied Hungary) that Molotov asked our Minister in Moscow to see him after the bombardment of the two Hungarian towns mentioned above. Molotov expressed his hopes that the friendly relations between the two countries would remain unchanged. Our Minister to Russia relayed this message immediately to the Prime Minister, Bardossy, who did not reveal it to my father because he realized that my father would never agree under such circum-

stances to declaring war against Russia. After this it is clear that it was the Germans who bombarded the two Hungarian towns with Russian planes in order to achieve their idea that Hungary should get into the war.

[signed] Nicholas Horthy, Jr.

CHART No. I

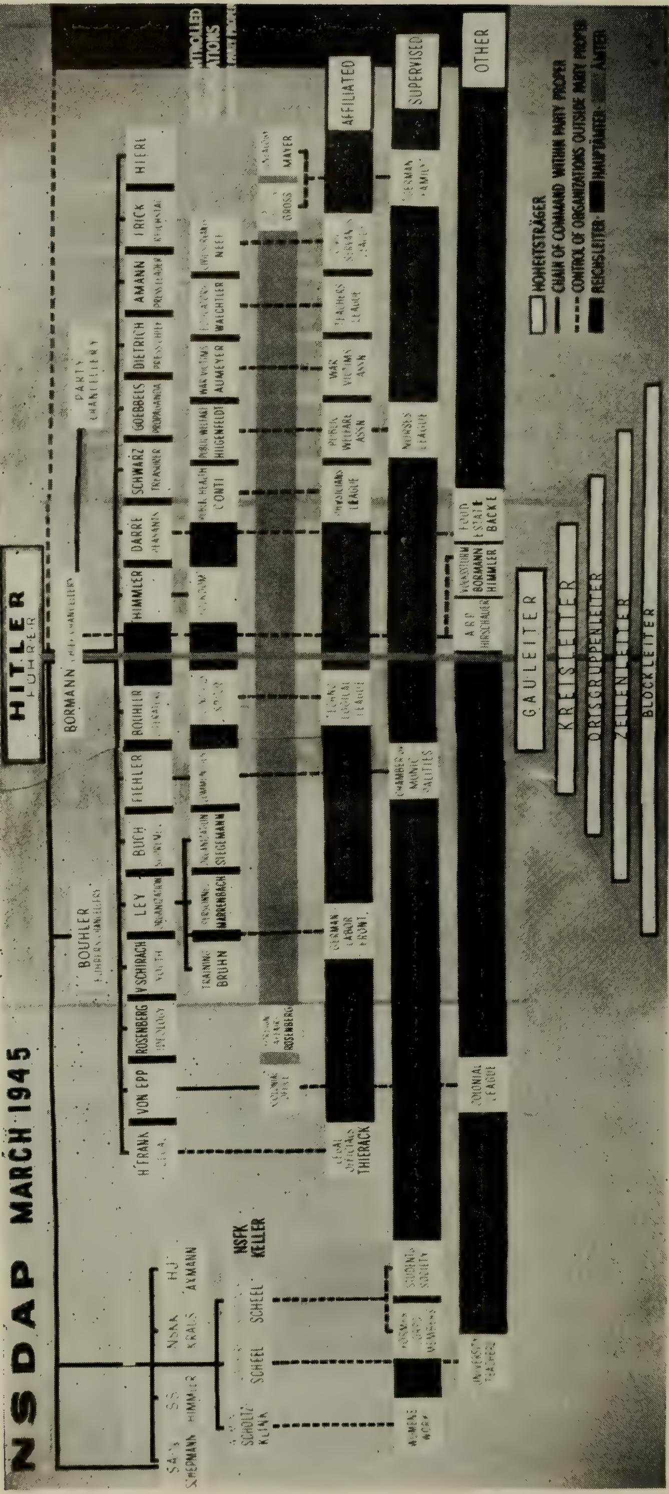

NSDAP MARCH 1945
HITLER
FÜHRER
BORMANN
PARTY CHANCELLERY
BOUHLER
FÜHRER'S CHANCELLERY
H. FRANK
VON EPP
ROSENBERG
IDEOLOGY
V. SCHIRACH
YOUTH
LEY
ORGANIZATION
BUCH
FIEHLER
BOUHLER
HIMMLER
DARRE
PEASANTS
SCHWARZ
TREASURER
GOEBBELS
PROPAGANDA
DIETRICH
PRESS CHIEF
AMANN
PRESS LEADER
FRICK
REICHSTAG
HIERL
TRAINING
BRUHN
MARRENBACH
SIEGEMANN
PUBLIC HEALTH
CONTI
PUBLIC WELFARE
HILGENFELDT
WAR VICTIMS
EDUCATION
WAECHTLER
CIVIL SERVANTS
NEEF
GROSS
MAYER
ROSENBERG
LEGAL OFFICIALS
THIERACK
GERMAN LABOR FRONT
PHYSICIANS LEAGUE
PUBLIC WELFARE ASSN
WAR VICTIMS ASSN
TEACHERS LEAGUE
AFFILIATED
COLONIAL LEAGUE
CHAMBER OF MUNICIPALITIES
NURSES LEAGUE
SUPERVISED
ARP
HIRSCHAUER
VOLKSSTURM
BORMANN
HIMMLER
FOOD ESTATE
BACKE
OTHER
UNIVERSITY TEACHERS
SA's
SCHEPMANN
SS
HIMMLER
NSKK
KRAUS
HJ
AXMANN
NSFK
KELLER
SCHOLTZ KLINK
SCHEEL
SCHEEL
WOMEN'S WORK
STUDENTS SOCIETY
GAULEITER
KREISLEITER
ORTSGRUPPENLEITER
ZELLENLEITER
BLOCKLEITER
HOHEITSTRÄGER
CHAIN OF COMMAND WITHIN PARTY PROPER
CONTROL OF ORGANIZATIONS OUTSIDE PARTY PROPER
REICHSLEITER
HAUPTÄMTER
ÄMTER

CHART No. 2

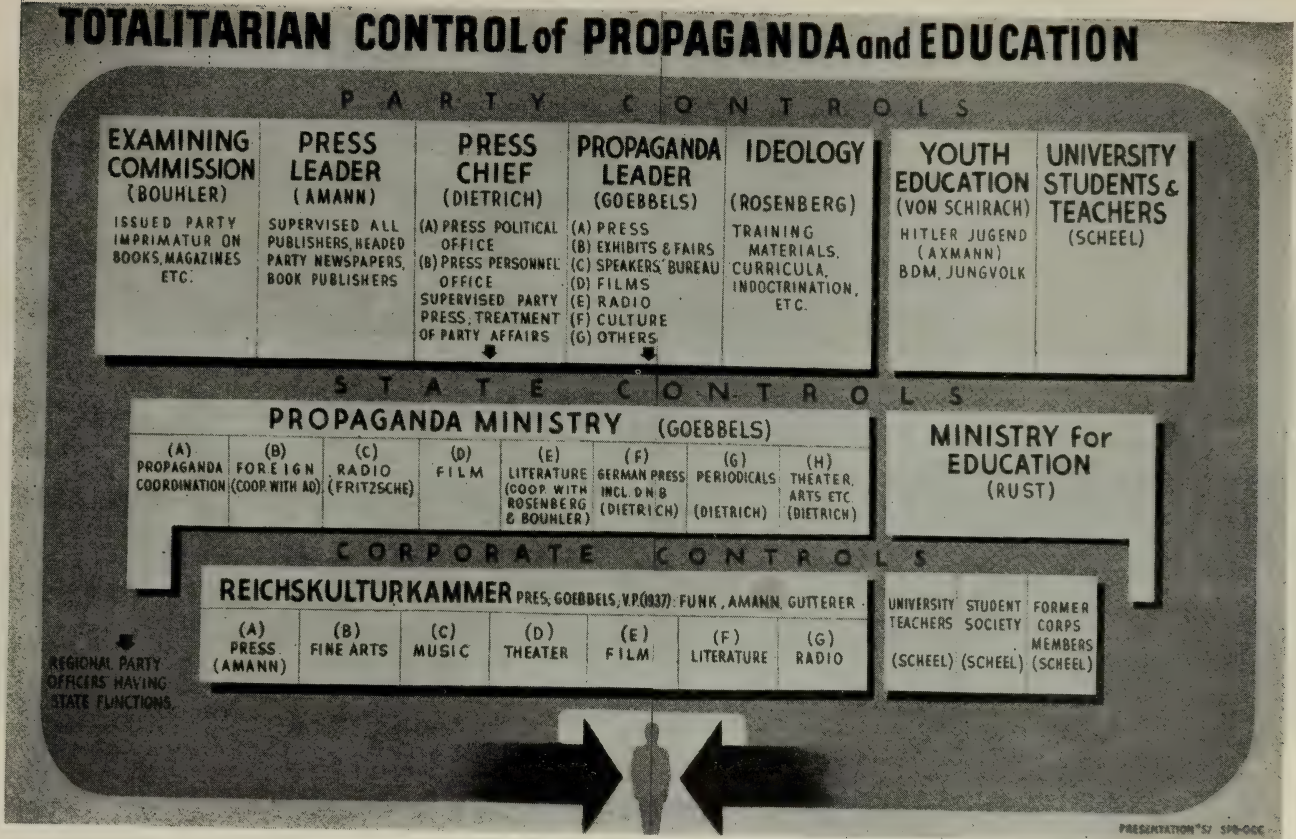

TOTALITARIAN CONTROL of PROPAGANDA and EDUCATION
PARTY CONTROLS
EXAMINING COMMISSION (BOUHLER)
ISSUED PARTY IMPRIMATUR ON BOOKS, MAGAZINES ETC.
PRESS LEADER (AMANN)
SUPERVISED ALL PUBLISHERS, HEADED PARTY NEWSPAPERS, BOOK PUBLISHERS
PRESS CHIEF (DIETRICH)
(A) PRESS POLITICAL OFFICE
(B) PRESS PERSONNEL OFFICE
SUPERVISED PARTY PRESS; TREATMENT OF PARTY AFFAIRS
PROPAGANDA LEADER (GOEBBELS)
(A) PRESS
(B) EXHIBITS & FAIRS
(C) SPEAKERS' BUREAU
(D) FILMS
(E) RADIO
(F) CULTURE
(G) OTHERS
IDEOLOGY (ROSENBERG)
TRAINING MATERIALS, CURRICULA, INDOCTRINATION, ETC.
YOUTH EDUCATION (VON SCHIRACH)
HITLER JUGEND (AXMANN)
BDM, JUNGVOLK
UNIVERSITY STUDENTS & TEACHERS (SCHEEL)
STATE CONTROLS
PROPAGANDA MINISTRY (GOEBBELS)
(A) PROPAGANDA COORDINATION
(B) FOREIGN (COOP. WITH AO)
(C) RADIO (FRITZSCHE)
(D) FILM
(E) LITERATURE (COOP. WITH ROSENBERG & BOUHLER)
(F) GERMAN PRESS INCL. DNB (DIETRICH)
(G) PERIODICALS (DIETRICH)
(H) THEATER, ARTS ETC. (DIETRICH)
MINISTRY For EDUCATION (RUST)
CORPORATE CONTROLS
REICHSKULTURKAMMER PRES. GOEBBELS, V.P.(1937): FUNK, AMANN, GUTTERER
(A) PRESS (AMANN)
(B) FINE ARTS
(C) MUSIC
(D) THEATER
(E) FILM
(F) LITERATURE
(G) RADIO
UNIVERSITY TEACHERS (SCHEEL)
STUDENT SOCIETY (SCHEEL)
FORMER CORPS MEMBERS (SCHEEL)
REGIONAL PARTY OFFICERS HAVING STATE FUNCTIONS
PRESENTATION'S/ SPB-OCC

CHART No. 3

ORGANIZATION OF THE SS.

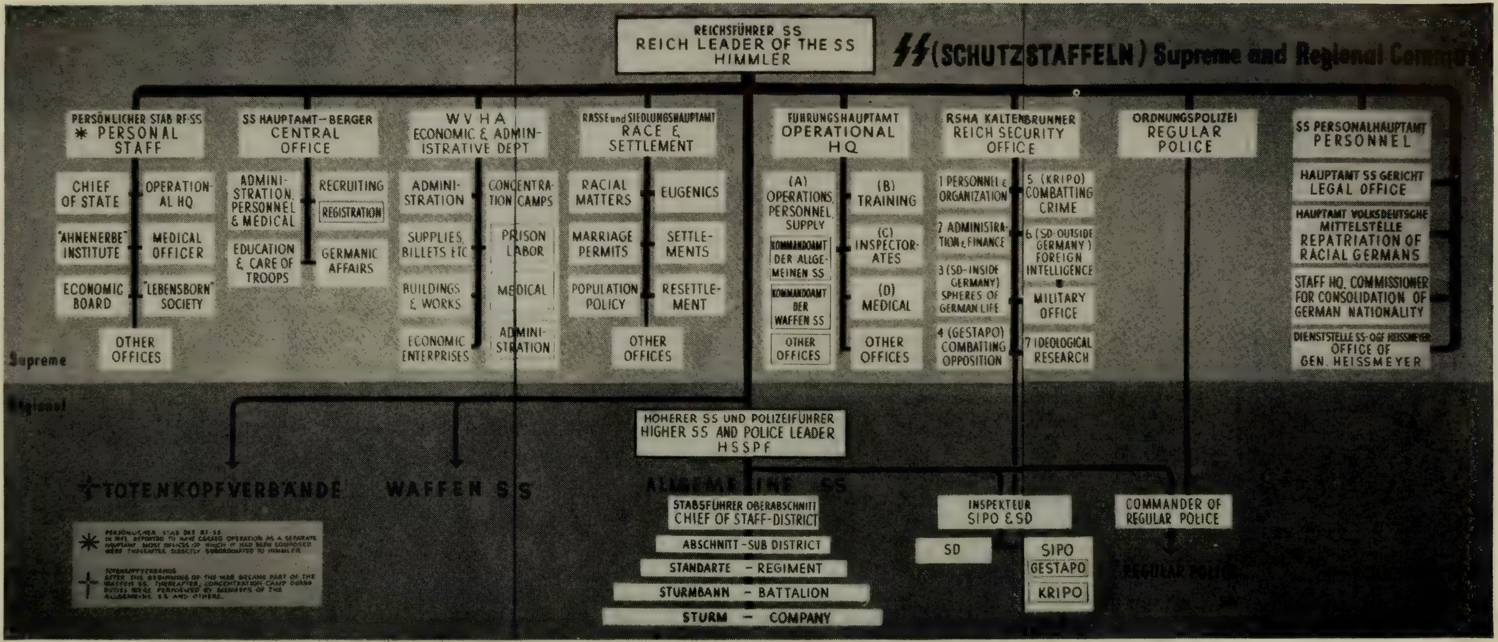

REICHSFÜHRER SS
REICH LEADER OF THE SS
HIMMLER
SS (SCHUTZSTAFFELN) Supreme and Regional Command
PERSÖNLICHER STAB RF-SS
* PERSONAL STAFF
CHIEF OF STATE
OPERATIONAL HQ
"AHNENERBE" INSTITUTE
MEDICAL OFFICER
ECONOMIC BOARD
"LEBENSBORN" SOCIETY
OTHER OFFICES
SS HAUPTAMT—BERGER
CENTRAL OFFICE
ADMINISTRATION, PERSONNEL & MEDICAL
RECRUITING
REGISTRATION
EDUCATION & CARE OF TROOPS
GERMANIC AFFAIRS
W V H A
ECONOMIC & ADMINISTRATIVE DEPT
ADMINISTRATION
CONCENTRATION CAMPS
SUPPLIES, BILLETS ETC
PRISON LABOR
BUILDINGS & WORKS
MEDICAL
ECONOMIC ENTERPRISES
ADMINISTRATION
RASSE und SIEDLUNGSHAUPTAMT
RACE & SETTLEMENT
RACIAL MATTERS
EUGENICS
MARRIAGE PERMITS
SETTLEMENTS
POPULATION POLICY
RESETTLEMENT
OTHER OFFICES
FÜHRUNGSHAUPTAMT
OPERATIONAL HQ
(A) OPERATIONS, PERSONNEL, SUPPLY
KOMMANDOAMT DER ALLGEMEINEN SS
KOMMANDOAMT DER WAFFEN SS
OTHER OFFICES
(B) TRAINING
(C) INSPECTORATES
(D) MEDICAL
OTHER OFFICES
RSHA KALTENBRUNNER
REICH SECURITY OFFICE
1 PERSONNEL & ORGANIZATION
2 ADMINISTRATION & FINANCE
3 (SD-INSIDE GERMANY) SPHERES OF GERMAN LIFE
4 (GESTAPO) COMBATTING OPPOSITION
5 (KRIPO) COMBATTING CRIME
6 (SD-OUTSIDE GERMANY) FOREIGN INTELLIGENCE
MILITARY OFFICE
7 IDEOLOGICAL RESEARCH
ORDNUNGSPOLIZEI
REGULAR POLICE
SS PERSONALHAUPTAMT
PERSONNEL
HAUPTAMT SS GERICHT
LEGAL OFFICE
HAUPTAMT VOLKSDEUTSCHE MITTELSTELLE
REPATRIATION OF RACIAL GERMANS
STAFF HQ. COMMISSIONER FOR CONSOLIDATION OF GERMAN NATIONALITY
DIENSTSTELLE SS-OGF HEISSMEYER
OFFICE OF GEN. HEISSMEYER
Supreme
Regional
HÖHERER SS UND POLIZEIFÜHRER
HIGHER SS AND POLICE LEADER
HSSPF
TOTENKOPFVERBÄNDE
WAFFEN SS
ALLGEMEINE SS
STABSFÜHRER OBERABSCHNITT
CHIEF OF STAFF-DISTRICT
ABSCHNITT - SUB DISTRICT
STANDARTE - REGIMENT
STURMBANN - BATTALION
STURM - COMPANY
INSPEKTEUR SIPO & SD
SD
SIPO
GESTAPO
KRIPO
COMMANDER OF REGULAR POLICE
REGULAR POLICE
* PERSÖNLICHER STAB DES RF-SS IN 1943, REPORTED TO HAVE CEASED OPERATION AS A SEPARATE HAUPTAMT. MOST OFFICES OF WHICH IT HAD BEEN COMPOSED WERE THEREAFTER DIRECTLY SUBORDINATED TO HIMMLER.
TOTENKOPFVERBÄNDE AFTER THE BEGINNING OF THE WAR BECAME PART OF THE WAFFEN SS. THEREAFTER, CONCENTRATION CAMP GUARD DUTIES WERE PERFORMED BY MEMBERS OF THE ALLGEMEINE SS AND OTHERS.

CHART No. 4

ANNEX TO REPORT OF SPECIAL PURPOSE GROUP "A" REGARDING JEWS KILLED IN BALTIC COUNTRIES, WHITE RUSSIA AND LITHUANIA (2273—PS).

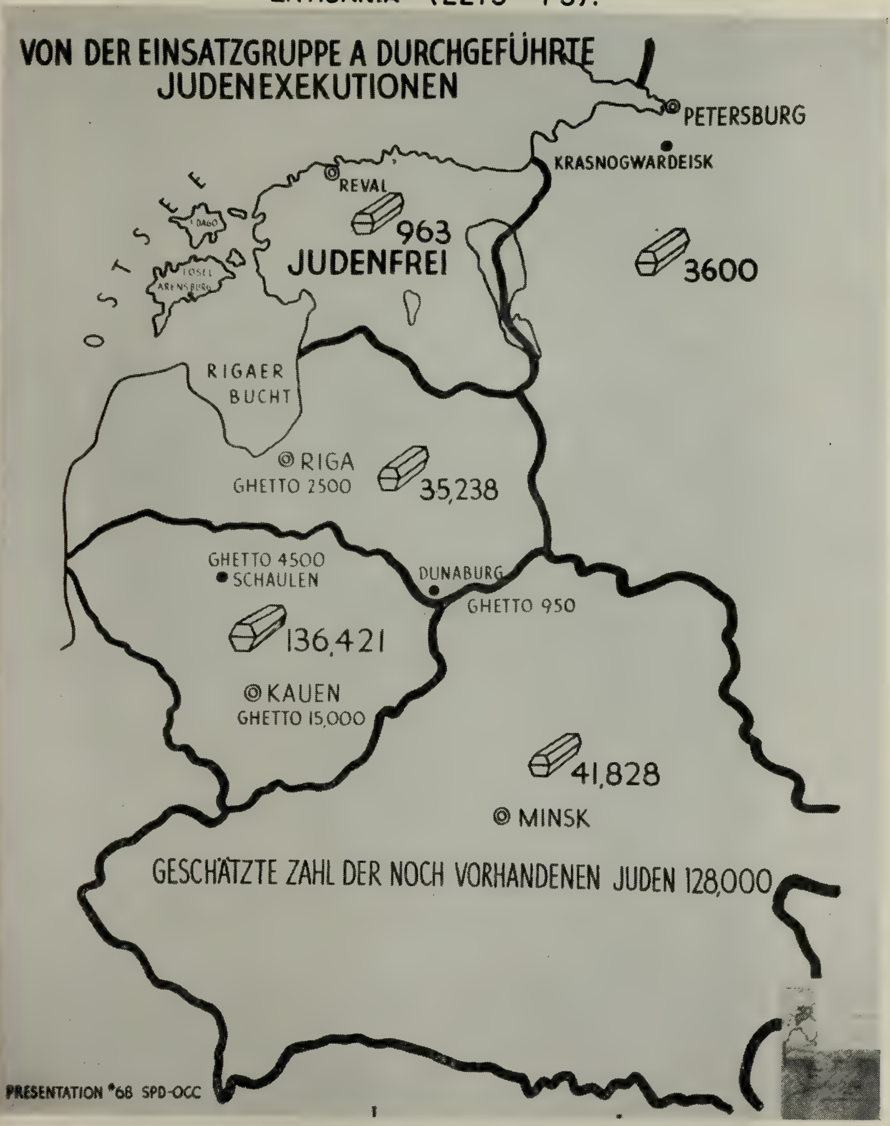

VON DER EINSATZGRUPPE A DURCHGEFÜHRTE JUDENEXEKUTIONEN
PETERSBURG
KRASNOGWARDEISK
3600
REVAL
963
JUDENFREI
OSTSEE
DAGO
OSEL
ARENSBURG
RIGAER BUCHT
RIGA
GHETTO 2500
35,238
GHETTO 4500
SCHAULEN
DUNABURG
GHETTO 950
136,421
KAUEN
GHETTO 15,000
41,828
MINSK
GESCHÄTZTE ZAHL DER NOCH VORHANDENEN JUDEN 128,000
PRESENTATION #68 SPD-OCC

CHART No. 5

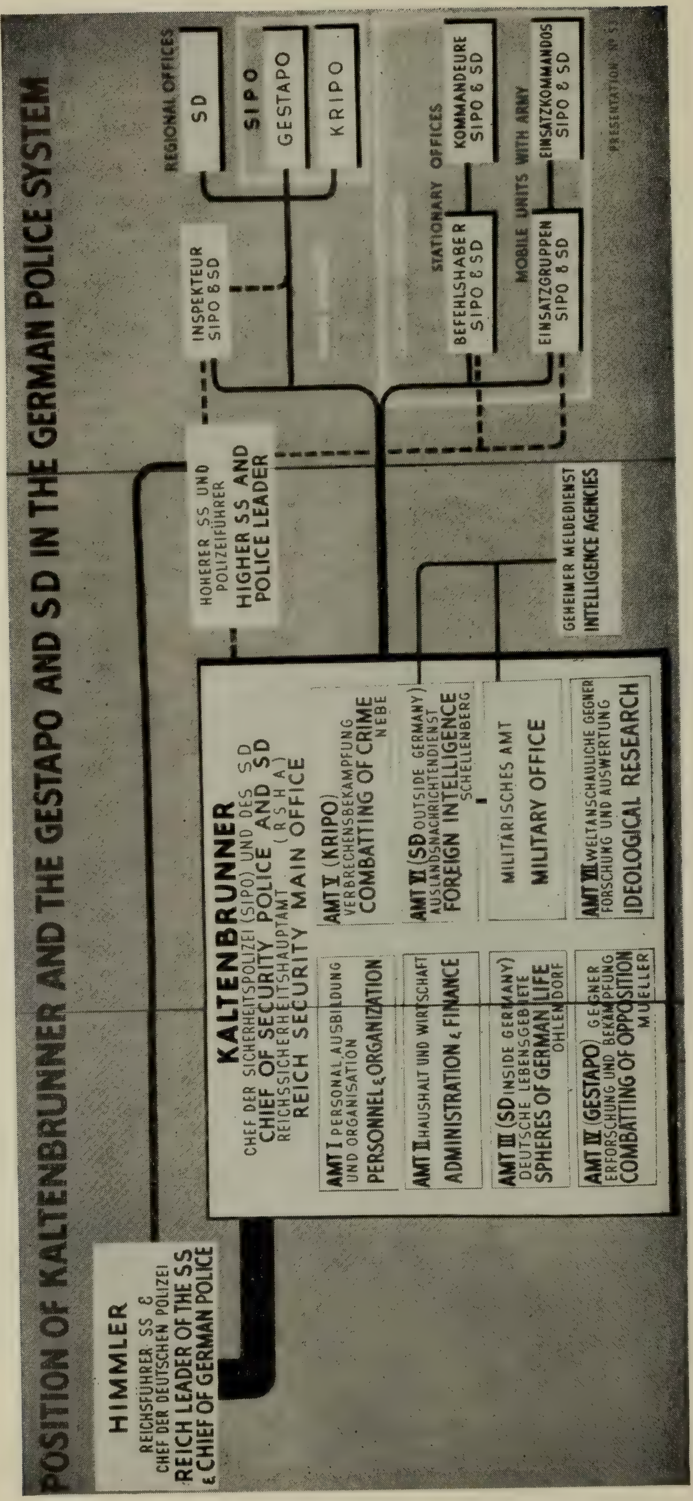

POSITION OF KALTENBRUNNER AND THE GESTAPO AND SD IN THE GERMAN POLICE SYSTEM
HIMMLER
REICHSFÜHRER SS & CHEF DER DEUTSCHEN POLIZEI
REICH LEADER OF THE SS & CHIEF OF GERMAN POLICE
KALTENBRUNNER
CHEF DER SICHERHEITSPOLIZEI (SIPO) UND DES SD
CHIEF OF SECURITY POLICE AND SD
REICHSSICHERHEITSHAUPTAMT (RSHA)
REICH SECURITY MAIN OFFICE
AMT I PERSONAL AUSBILDUNG UND ORGANISATION
PERSONNEL & ORGANIZATION
AMT II HAUSHALT UND WIRTSCHAFT
ADMINISTRATION & FINANCE
AMT III (SD INSIDE GERMANY) DEUTSCHE LEBENSGEBIETE
SPHERES OF GERMAN LIFE
OHLENDORF
AMT IV (GESTAPO) GEGNER ERFORSCHUNG UND BEKAMPFUNG
COMBATTING OF OPPOSITION
MUELLER
AMT V (KRIPO) VERBRECHENSBEKAMPFUNG
COMBATTING OF CRIME
NEBE
AMT VI (SD OUTSIDE GERMANY) AUSLANDSNACHRICHTENDIENST
FOREIGN INTELLIGENCE
SCHELLENBERG
MILITÄRISCHES AMT
MILITARY OFFICE
AMT VII WELTANSCHAULICHE GEGNER FORSCHUNG UND AUSWERTUNG
IDEOLOGICAL RESEARCH
HOHERER SS UND POLIZEIFÜHRER
HIGHER SS AND POLICE LEADER
GEHEIMER MELDEDIENST
INTELLIGENCE AGENCIES
INSPEKTEUR SIPO & SD
REGIONAL OFFICES
SD
SIPO
GESTAPO
KRIPO
STATIONARY OFFICES
BEFEHLSHABER SIPO & SD
KOMMANDEURE SIPO & SD
MOBILE UNITS WITH ARMY
EINSATZGRUPPEN SIPO & SD
EINSATZKOMMANDOS SIPO & SD
PRESENTATION No 53

CHART No. 6

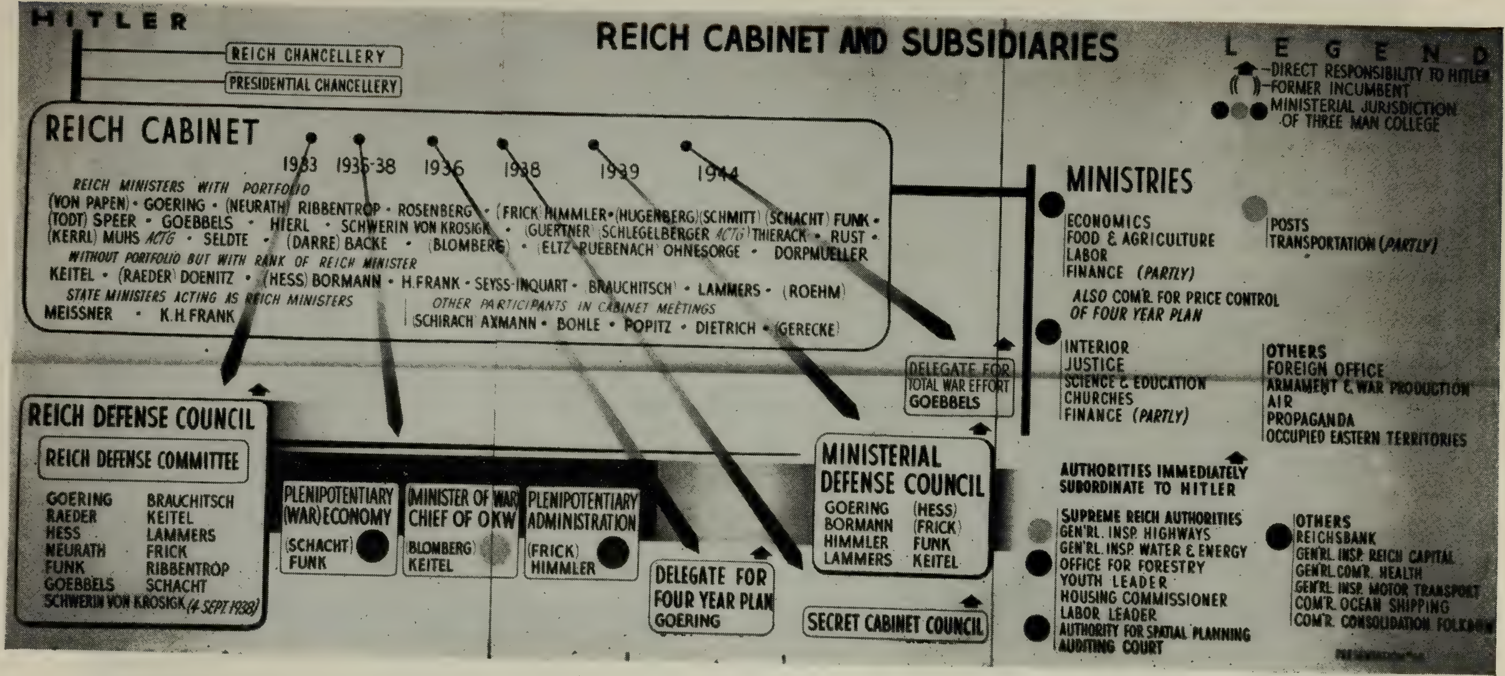

HITLER
REICH CHANCELLERY
PRESIDENTIAL CHANCELLERY
REICH CABINET AND SUBSIDIARIES
LEGEND
—DIRECT RESPONSIBILITY TO HITLER
( )—FORMER INCUMBENT
—MINISTERIAL JURISDICTION OF THREE MAN COLLEGE
REICH CABINET
1933
1935-38
1936
1938
1939
1944
REICH MINISTERS WITH PORTFOLIO
(VON PAPEN) · GOERING · (NEURATH) RIBBENTROP · ROSENBERG · (FRICK) HIMMLER · (HUGENBERG) (SCHMITT) (SCHACHT) FUNK ·
(TODT) SPEER · GOEBBELS · HIERL · SCHWERIN VON KROSIGK · (GUERTNER) (SCHLEGELBERGER ACTG) THIERACK · RUST ·
(KERRL) MUHS ACTG · SELDTE · (DARRE) BACKE · (BLOMBERG) · (ELTZ-RUEBENACH) OHNESORGE · DORPMUELLER
WITHOUT PORTFOLIO BUT WITH RANK OF REICH MINISTER
KEITEL · (RAEDER) DOENITZ · (HESS) BORMANN · H.FRANK · SEYSS-INQUART · (BRAUCHITSCH) · LAMMERS · (ROEHM)
STATE MINISTERS ACTING AS REICH MINISTERS
MEISSNER · K.H.FRANK
OTHER PARTICIPANTS IN CABINET MEETINGS
(SCHIRACH) AXMANN · BOHLE · POPITZ · DIETRICH · (GERECKE)
MINISTRIES
ECONOMICS
FOOD & AGRICULTURE
LABOR
FINANCE (PARTLY)
ALSO COM'R. FOR PRICE CONTROL OF FOUR YEAR PLAN
POSTS
TRANSPORTATION (PARTLY)
INTERIOR
JUSTICE
SCIENCE & EDUCATION
CHURCHES
FINANCE (PARTLY)
OTHERS
FOREIGN OFFICE
ARMAMENT & WAR PRODUCTION
AIR
PROPAGANDA
OCCUPIED EASTERN TERRITORIES
DELEGATE FOR TOTAL WAR EFFORT
GOEBBELS
REICH DEFENSE COUNCIL
REICH DEFENSE COMMITTEE
GOERING
RAEDER
HESS
NEURATH
FUNK
GOEBBELS
SCHWERIN VON KROSIGK (4 SEPT. 1938)
BRAUCHITSCH
KEITEL
LAMMERS
FRICK
RIBBENTROP
SCHACHT
PLENIPOTENTIARY (WAR) ECONOMY
(SCHACHT)
FUNK
(MINISTER OF WAR) CHIEF OF OKW
(BLOMBERG)
KEITEL
PLENIPOTENTIARY ADMINISTRATION
(FRICK)
HIMMLER
DELEGATE FOR FOUR YEAR PLAN
GOERING
MINISTERIAL DEFENSE COUNCIL
GOERING
BORMANN
HIMMLER
LAMMERS
(HESS)
(FRICK)
FUNK
KEITEL
SECRET CABINET COUNCIL
AUTHORITIES IMMEDIATELY SUBORDINATE TO HITLER
SUPREME REICH AUTHORITIES
GEN'RL. INSP. HIGHWAYS
GEN'RL. INSP. WATER & ENERGY
OFFICE FOR FORESTRY
YOUTH LEADER
HOUSING COMMISSIONER
LABOR LEADER
AUTHORITY FOR SPATIAL PLANNING
AUDITING COURT
OTHERS
REICHSBANK
GEN'RL. INSP. REICH CAPITAL
GEN'RL. COM'R. HEALTH
GEN'RL. INSP. MOTOR TRANSPORT
COM'R. OCEAN SHIPPING
COM'R. CONSOLIDATION FOLKDOM

CHART No. 7

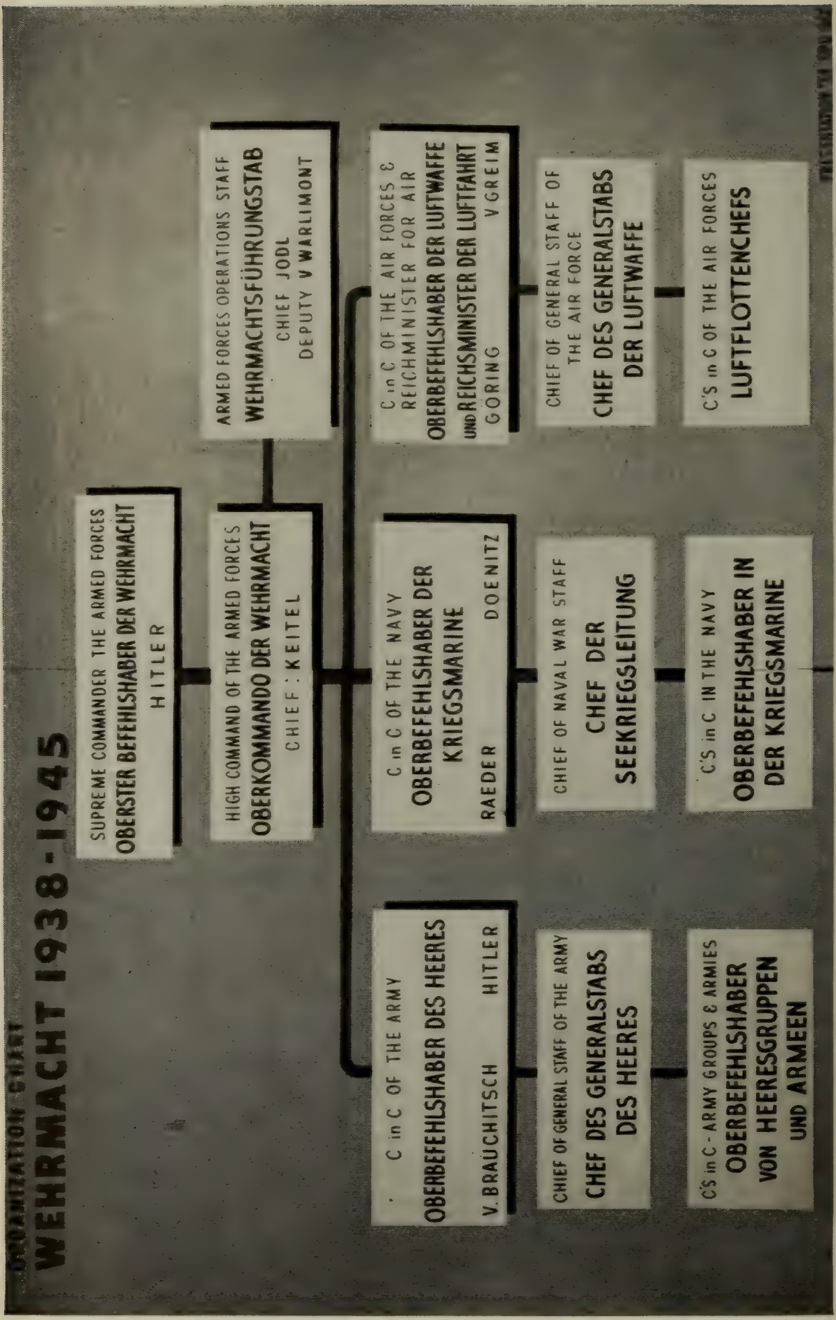

ORGANIZATION CHART
WEHRMACHT 1938-1945
SUPREME COMMANDER THE ARMED FORCES
OBERSTER BEFEHLSHABER DER WEHRMACHT
HITLER
HIGH COMMAND OF THE ARMED FORCES
OBERKOMMANDO DER WEHRMACHT
CHIEF: KEITEL
ARMED FORCES OPERATIONS STAFF
WEHRMACHTSFÜHRUNGSSTAB
CHIEF JODL
DEPUTY V WARLIMONT
C in C OF THE ARMY
OBERBEFEHLSHABER DES HEERES
V. BRAUCHITSCH HITLER
C in C OF THE NAVY
OBERBEFEHLSHABER DER KRIEGSMARINE
RAEDER DOENITZ
C in C OF THE AIR FORCES & REICHMINISTER FOR AIR
OBERBEFEHLSHABER DER LUFTWAFFE
UND REICHSMINISTER DER LUFTFAHRT
GÖRING V GREIM
CHIEF OF GENERAL STAFF OF THE ARMY
CHEF DES GENERALSTABS DES HEERES
CHIEF OF NAVAL WAR STAFF
CHEF DER SEEKRIEGSLEITUNG
CHIEF OF GENERAL STAFF OF THE AIR FORCE
CHEF DES GENERALSTABS DER LUFTWAFFE
C'S in C - ARMY GROUPS & ARMIES
OBERBEFEHLSHABER VON HEERESGRUPPEN UND ARMEEN
C'S in C IN THE NAVY
OBERBEFEHLSHABER IN DER KRIEGSMARINE
C'S in C OF THE AIR FORCES
LUFTFLOTTENCHEFS

CHART No. 8

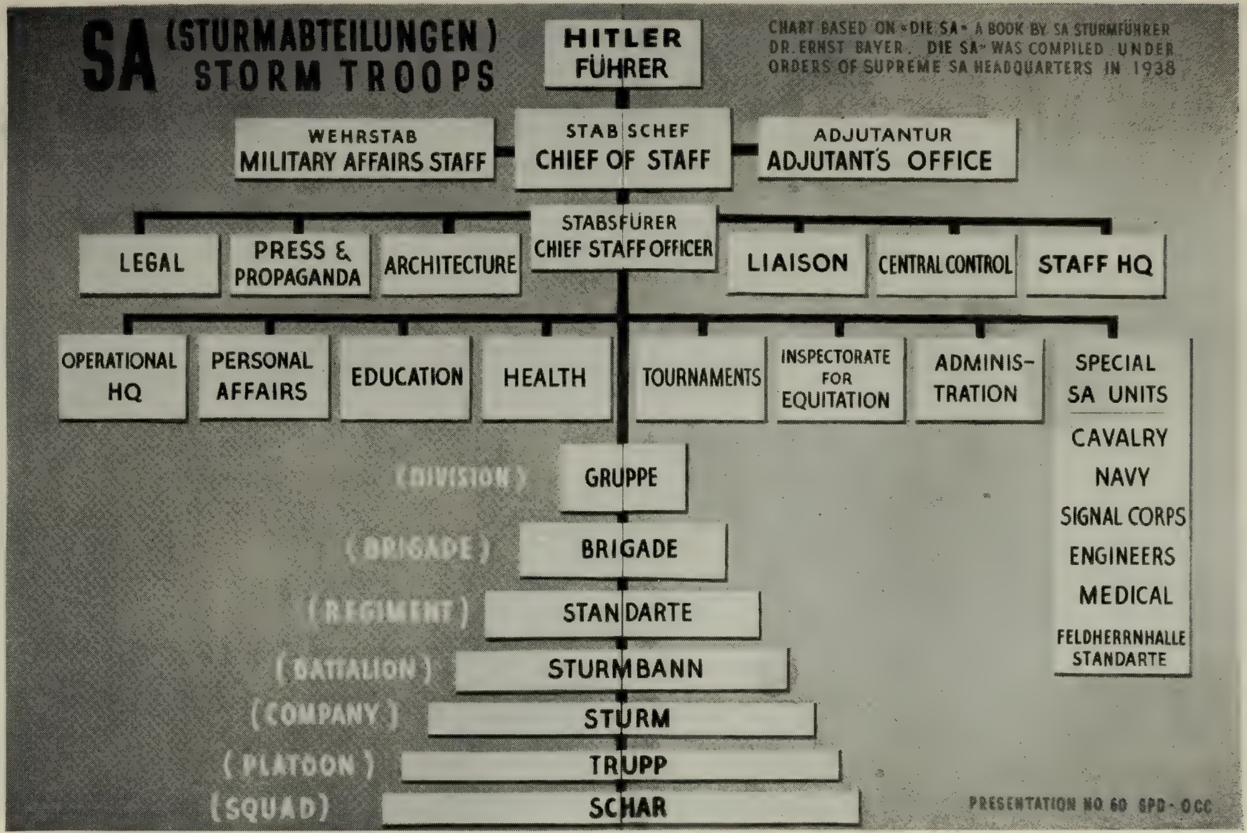
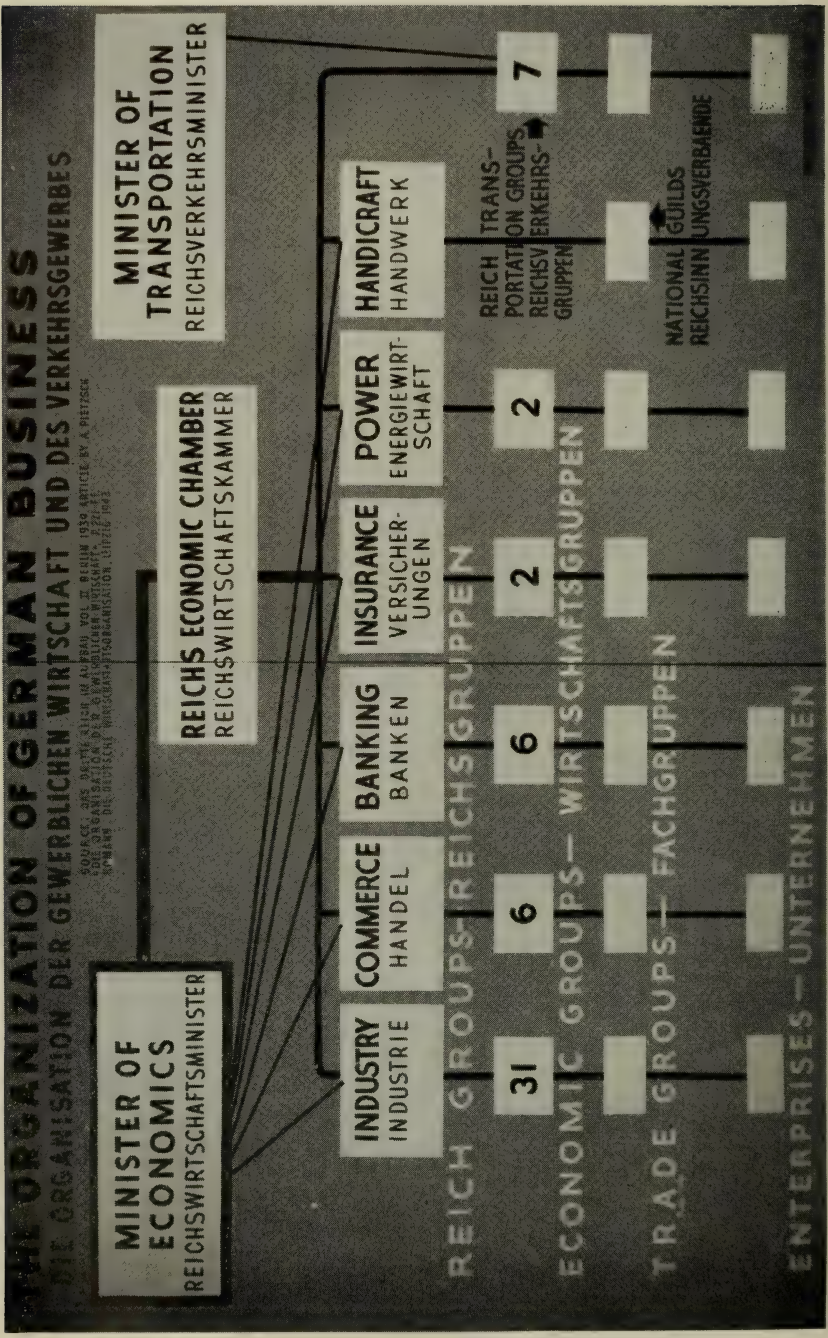

SA (STURMABTEILUNGEN)
STORM TROOPS
HITLER
FÜHRER
CHART BASED ON »DIE SA« A BOOK BY SA STURMFÜHRER DR. ERNST BAYER. DIE SA« WAS COMPILED UNDER ORDERS OF SUPREME SA HEADQUARTERS IN 1938
WEHRSTAB
MILITARY AFFAIRS STAFF
STAB SCHEF
CHIEF OF STAFF
ADJUTANTUR
ADJUTANT'S OFFICE
STABSFÜRER
CHIEF STAFF OFFICER
LEGAL
PRESS & PROPAGANDA
ARCHITECTURE
LIAISON
CENTRAL CONTROL
STAFF HQ
OPERATIONAL HQ
PERSONAL AFFAIRS
EDUCATION
HEALTH
TOURNAMENTS
INSPECTORATE FOR EQUITATION
ADMINISTRATION
SPECIAL SA UNITS
CAVALRY
NAVY
SIGNAL CORPS
ENGINEERS
MEDICAL
FELDHERRNHALLE STANDARTE
(DIVISION)
GRUPPE
(BRIGADE)
BRIGADE
(REGIMENT)
STANDARTE
(BATTALION)
STURMBANN
(COMPANY)
STURM
(PLATOON)
TRUPP
(SQUAD)
SCHAR
PRESENTATION NO 60 SPD-OCC

CHART No. 9

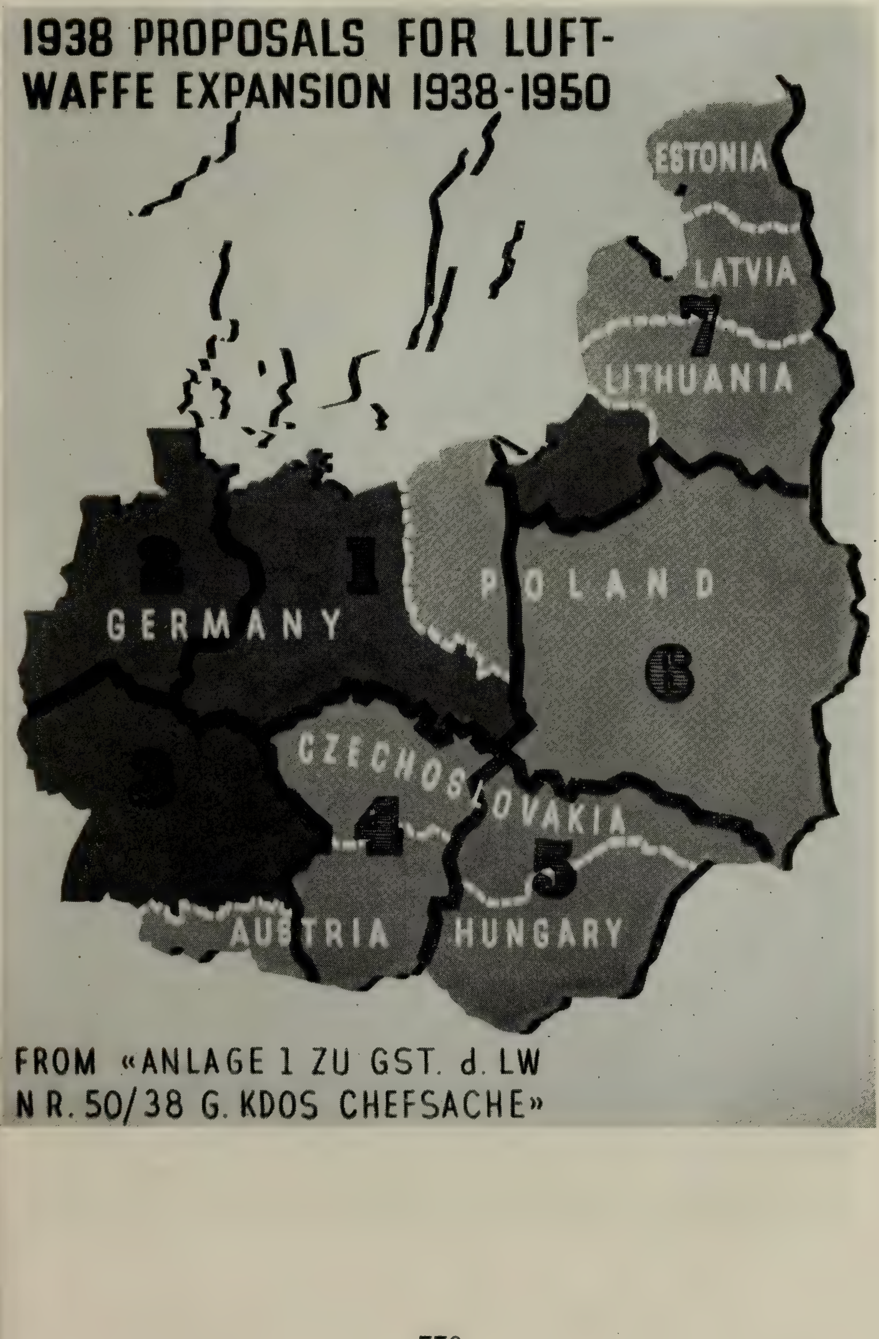

THE ORGANIZATION OF GERMAN BUSINESS

DIE ORGANISATION DER GEWERBLICHEN WIRTSCHAFT UND DES VERKEHRSGEWERBES

SOURCE: DAS DRITTE REICH IM AUFBAU VOL II BERLIN 1939 ARTICLE BY A. PIETZSCH "DIE ORGANISATION DER GEWERBLICHEN WIRTSCHAFT" P.221 ff. DIE DEUTSCHE WIRTSCHAFTSORGANISATION, LEIPZIG 1943

MINISTER OF ECONOMICS
REICHSWIRTSCHAFTSMINISTER
REICHS ECONOMIC CHAMBER
REICHSWIRTSCHAFTSKAMMER
MINISTER OF TRANSPORTATION
REICHSVERKEHRSMINISTER
INDUSTRY
INDUSTRIE
COMMERCE
HANDEL
BANKING
BANKEN
INSURANCE
VERSICHERUNGEN
POWER
ENERGIEWIRTSCHAFT
HANDICRAFT
HANDWERK
31
6
6
2
2
7
REICH GROUPS—REICHSGRUPPEN
REICH TRANSPORTATION GROUPS
REICHSVERKEHRSGRUPPEN
ECONOMIC GROUPS—WIRTSCHAFTSGRUPPEN
NATIONAL GUILDS
REICHSINNUNGSVERBAENDE
TRADE GROUPS—FACHGRUPPEN
ENTERPRISES—UNTERNEHMEN

INCLOSURE NO. 1 TO "ORGANIZATION STUDY 1950" OF THE GERMAN AIR FORCE (L–43)


1938 PROPOSALS FOR LUFTWAFFE EXPANSION 1938-1950
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LATVIA
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LITHUANIA
POLAND
6
GERMANY
1
2
3
CZECHOSLOVAKIA
4
5
AUSTRIA
HUNGARY
FROM «ANLAGE 1 ZU GST. d. LW
NR. 50/38 G. KDOS CHEFSACHE»

CHART No. 11

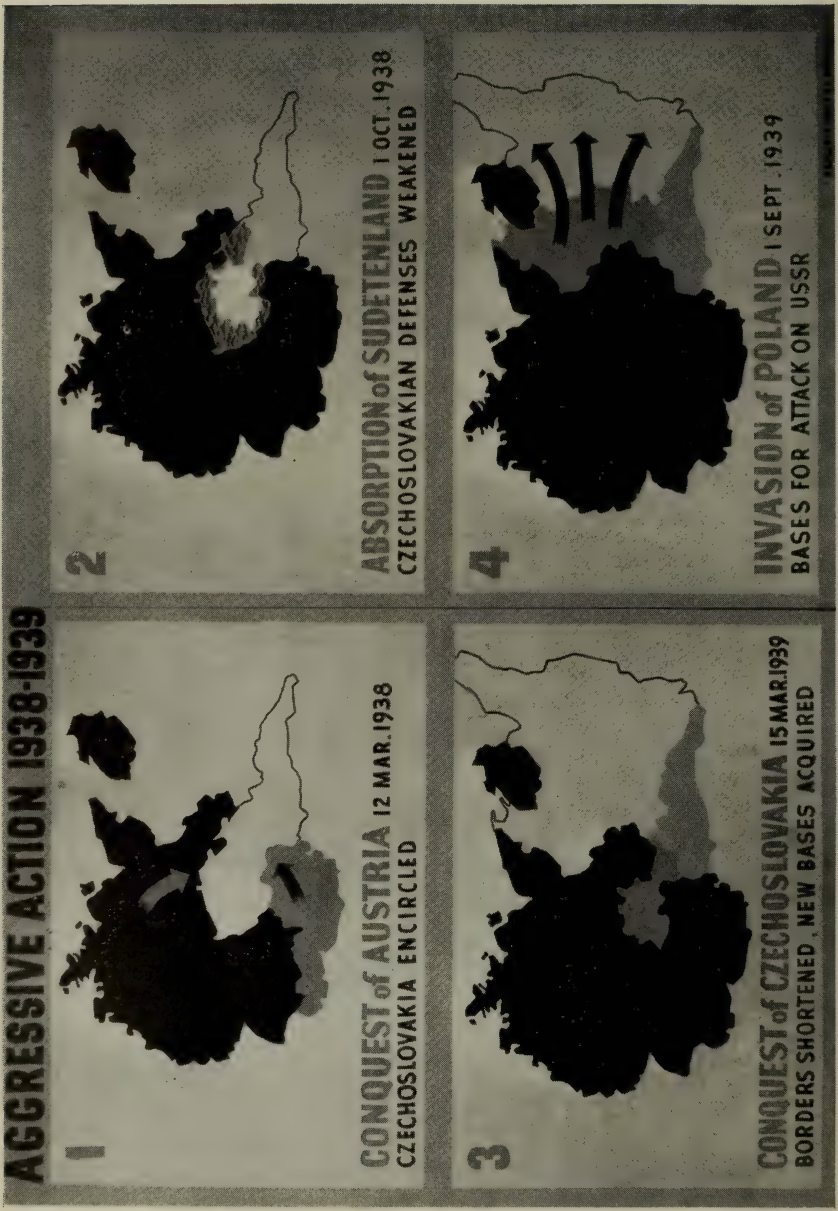

AGGRESSIVE ACTION 1938-1939
1
CONQUEST of AUSTRIA 12 MAR. 1938
CZECHOSLOVAKIA ENCIRCLED
2
ABSORPTION of SUDETENLAND 1 OCT. 1938
CZECHOSLOVAKIAN DEFENSES WEAKENED
3
CONQUEST of CZECHOSLOVAKIA 15 MAR. 1939
BORDERS SHORTENED, NEW BASES ACQUIRED
4
INVASION of POLAND 1 SEPT. 1939
BASES FOR ATTACK ON USSR

CHART No. 12

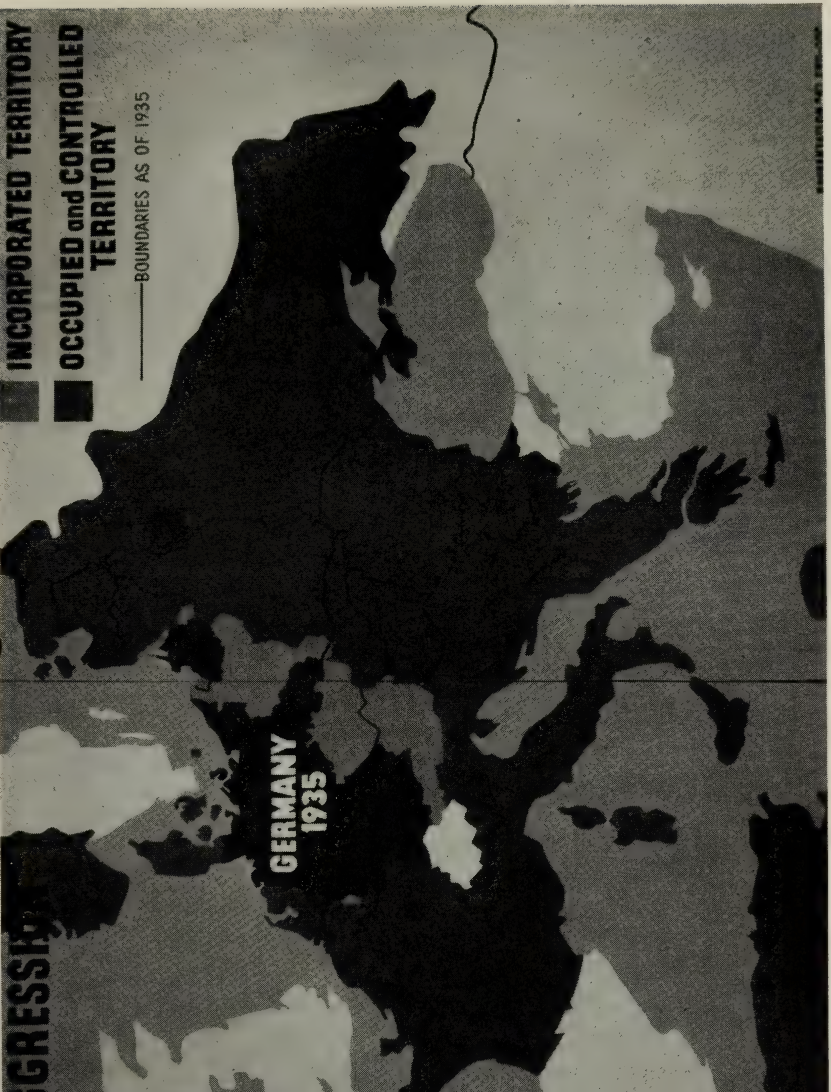
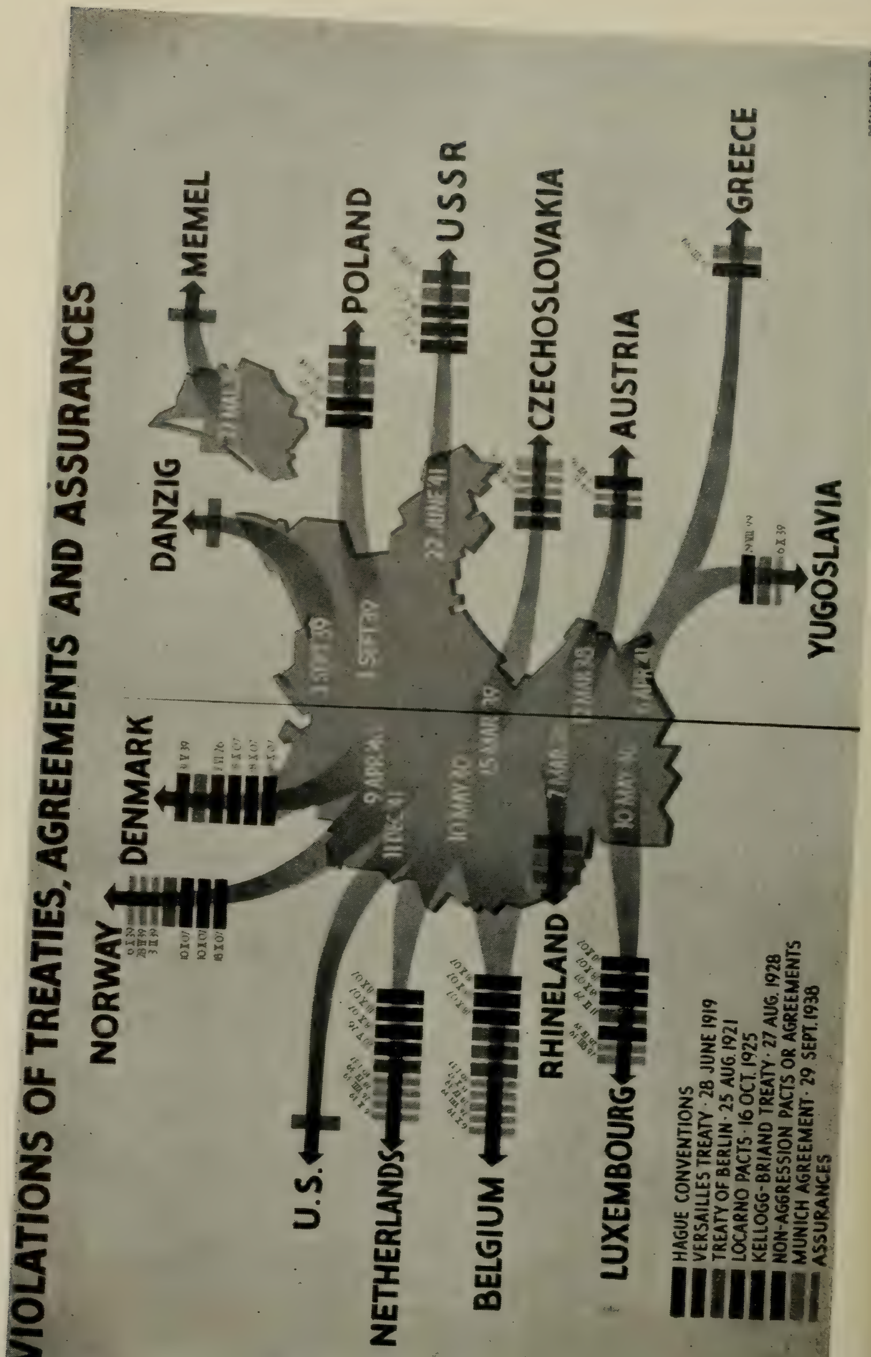

GERMAN AGGRESSION
INCORPORATED TERRITORY
OCCUPIED and CONTROLLED TERRITORY
BOUNDARIES AS OF 1935
GERMANY 1935

CHART No. 13


VIOLATIONS OF TREATIES, AGREEMENTS AND ASSURANCES
NORWAY
DENMARK
DANZIG
MEMEL
U.S.
NETHERLANDS
BELGIUM
RHINELAND
LUXEMBOURG
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6 APR 41
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VERSAILLES TREATY · 28 JUNE 1919
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*TC–72 No. 79	British Blue Book. Hitler and Sir N. Henderson conversation, 29 August 1939. (GB 69)	I VIII	718 469
*TC–72 No. 89	British Blue Book. British Government's reply, 30 August 1939, to German communication of 29 August. (GB 70)	I VIII	718 470
*TC–72 No. 92	British Blue Book. Ribbentrop and Sir N. Henderson conversation, midnight 30 August 1939. (GB 71)	I VIII	719 472
*TC–72 No. 110	British Blue Book. British Government's ultimatum, 1 September 1939. (GB 74)	I VIII	721 473
TC–72 No. 113	British Blue Book. Copy German proposals handed to Sir N. Henderson 9:15 P.M., 31 August 1939.	I VIII	721 474
TC–72 No. 118	British Blue Book. British-Government's final ultimatum, 3 September 1939.	I VIII	722 474
*TC–72 No. 124	British Blue Book. President Roosevelt's appeal to Hitler, 24 August 1939. (GB 59)	I VIII	709 475
*TC–72 No. 126	British Blue Book. President Moscicki's reply to Presi-		

Document	Description	Volume	Page
	dent Roosevelt, 25 August 1939. (GB 60)	I VIII	710 476
*TC–72 No. 127	British Blue Book. President Roosevelt's second appeal to Hitler, 25 August 1939. (GB 61)	I VIII	710 477
*TC–72 No. 139	British Blue Book. The Pope's appeal, 24 August 1939. (GB 62)	I VIII	710 477
*TC–72 No. 141	British Blue Book. The Pope's appeal, 31 August 1939. (GB 63)	I VIII	710 480
*TC–73 No. 33	Polish White Book. German-Polish communique, 5 November 1937. (GB 27)	I VIII	677 480
TC–73 No. 37	Polish White Book. Hitler's Reichstag speech, 20 February 1938.	II VIII	527 481
TC–73 No. 40	Polish White Book. Lipski and Ribbentrop, 10 September 1938.	II VIII	495 481
TC–73 No. 42	Polish White Book. Extracts from speech by Hitler at Sportz Palast, 26 September 1938.	II VIII	495 482
*TC–73 No. 44	Polish White Book. Lipski, Ribbentrop luncheon, conversation, 24 October 1938. (GB 27–A)	I II VIII	683 495 483
*TC–73 No. 45	Polish White Book. Beck's instructions to Lipski, 31 October 1938. (GB 27–B)	I II VIII	683, 684 495 484
*TC–73 No. 48	Polish White Book. Beck and		

Document	Description	Volume	Page
	Hitler conversation, 5 January 1939. (GB 34)	I II VIII	684, 685 496 486
*TC–73 No. 49	Polish White Book. Beck and Ribbentrop conversation, 6 January 1939. (GB 35)	I II VIII	685 496 488
*TC–73 No. 57	Polish White Book. Hitler's Reichstag speech, 30 January 1939. (GB 37)	I II VIII	686 496 488
*TC–73 No. 61	Polish White Book. Ribbentrop and Lipski conversation, 21 March 1939. (GB 38)	I II VIII	687 497 489
*TC–73 No. 91	Polish White Book. Anglo-Polish Agreement, 25 August 1939. (GB 57)	I VIII	707 492
*TC–73 No. 112	Polish White Book. Ribbentrop-Lipski conversation, 31 August 1939. (GB 72)	I VIII	719 494
TC–73 No. 113	Polish White Book. German broadcast 9 p.m. 31 August 1939.	I VIII	721 495
TC–73 No. 147	Polish White Book. Final report of former Polish Ambassador in Berlin, 10 October 1939.	II VIII	498 499
*TC–75	Memo for the Fuehrer, 2 January 1938, concerning Anglo-German relations. (GB 28)	I VIII	678, 679 513
*TC–76	Note for Reichsminister, 26 August 1938. (GB 31)	I II VIII	617, 681 495 515

Document	Description	Volume	Page
*TC–77	Memorandum of conversation between Hitler, Ribbentrop and Ciano, 12 August 1939. (GB 48)	I	635, 695, 697-699, 701, 777
		VIII	516
*TC–78	French Prime Minister's letter to Hitler, 26 August 1939. (GB 58)	I	709
		VIII	529
*TC–79	Hitler's reply to French Prime Minister, 27 August 1939. (GB 58)	I	709
		VIII	531
*TC–90	Goering's interrogation, 29 August 1945. (GB 64)	I	713, 714
		VIII	534
*TC–91	Ribbentrop's interrogation, 29 August 1945. (GB 276)	I	733
		VIII	535
*TC–92	Hitler's address at dinner for Prince Regent of Yugoslavia, 1 June 1939. (GB 114)	I	777
		VIII	536
*TC–93	Proclamation of the Fuehrer to the German people, 6 April 1941, from Documents Concerning the Conflict with Yugoslavia and Greece. (GB 114)	I	787, 788
		VIII	537
*UK–20	Keitel Order on treatment of supporters of De Gaulle who fight for Russians, 26 May 1943. (GB 163)	II	564
		VIII	538
*UK–57	Keitel directives, 4 January 1944 and 21 April 1944, con-		

Document	Description	Volume	Page
	cerning counteraction to Kharkov trial. (GB 164)	II VIII	564, 866 539
*UK–65	Report by Raeder to Hitler, 16 October 1939, and memorandum regarding intensified naval war against England, 15 October 1939. (GB 224)	I II VIII	162 863, 864 545
*UK–66	Report of British War Crimes Section of Allied Force Headquarters on German reprisals for partisan activity in Italy. (GB 274)	II VIII	413, 564 572
UK–81	Letters of 26 November and 28 October 1941, with enclosed orders on protection of troops against Partisans and Sabotage and conduct of troops in Eastern Territories.	II VIII	379, 381 582
Affidavit A	Affidavit of Erwin Lahousen, 21 January 1946, substantially the same as his testimony on direct examination before the International Military Tribunal at Nurnberg 30 November and 1 December 1945.	I II VIII	162, 702, 733 224, 315, 414, 512, 564 587
Affidavit B	Affidavit of Otto Ohlendorf, 20 November 1945, substantially the same as his testi-		

Document	Description	Volume	Page
	mony on direct examination before the International Military Tribunal at Nurnberg 3 January 1946.	II VIII	248, 315, 414, 592 596
Affidavit C	Affidavit of Dieter Wisliceny, 29 November 1945, substantially the same as his testimony on direct examination before the International Military Tribunal at Nurnberg 3 January 1946.	II VIII	315, 592 606
Affidavit D	Affidavit of Walter Schellenberg, 23 January 1946, substantially the same as his testimony on direct examination before the International Military Tribunal at Nurnberg 4 January 1946.	II VIII	315, 414, 592 622
Affidavit E	Affidavit of Alois Hoellriegl, 22 November 1945, substantially the same as his testimony on direct examination before the International Military Tribunal at Nurnberg 4 January 1946.	II VIII	592 630
Affidavit F	Affidavit of Josef Dietrich, 20–21 November 1945.	II VIII	172, 248, 489 631
Affidavit G	Affidavit of Frits Ernst Fischer, 21 November 1945.	II VIII	248 635

Document	Description	Volume	Page
Affidavit H	Affidavit of Franz Halder, 22 November 1945.	I	515, 592, 775
		II	414
		VIII	643
Affidavit I	Affidavit of Leopold Buerkner, 22 January 1946.	II	414, 564
		VIII	647
Affidavit J	Affidavit of Erhard Milch, 23 January 1946.	I	369
		II	414
		VIII	653
Statement I	The Laconia Case and German Submarine Warfare, by Karl Doenitz, Nurnberg, 7 and 19 October 1945.	II	848, 876
		VIII	657
Statement II	A Short Historical Consideration of German War Guilt, by Alfred Jodl, Nurnberg, 6 September 1945.	II	575
		VIII	662
Statement III	The Origin of the Directives of the Supreme Commander of the Armed Forces, by Wilhelm Keitel, Nurnberg, 15 September 1945.	II	414, 564
		VIII	669
Statement IV	The Position and Powers of the Chief of the OKW, by Wilhelm Keitel, Nurnberg, 9 October 1945.	II	414, 564
		VIII	672
Statement V	Notes Concerning Actions of German Armed Forces During the War and in Occupied Territory, by Wilhelm Keitel, Nurnberg, 19 October 1945.	II	414, 564
		VIII	678
Statement VI	The Relationship between Ca-		

Document	Description	Volume	Page
	naris and Keitel, by Erwin Lahousen, Nurnberg, 23 October 1945.	II VIII	564 682
Statement VII	The Development of German Naval Policy — 1933–1939, by Erich Raeder, Moscow, fall 1945.	I II VIII	450 876 684
Statement VIII	The Breakthrough in the Channel Early in 1942, by Erich Raeder, Moscow, 30 August 1945.	II VIII	876 701
Statement IX	My Relationship to Adolf Hitler and to the Party, by Erich Raeder, Moscow, fall 1945.	II VIII	172, 248, 315, 414, 465, 565, 575, 848, 876 707
Statement X	The Relationship of Party and State, as It Existed in Reality, by Wilhelm Stuckhart, Nurnberg, 1 December 1945.	I VIII	239 736
Statement XI	Farewell Message of Robert Ley Found in Nurnberg prison, 25 October 1945, after discovery of his suicide.	I VIII	84, 1022 740
Statement XII	Political Testament of Robert Ley written in Nurnberg Prison, 24 October 1945.	I VIII	84, 263, 948, 1022 742
Statement XIII	Outline of Defense of Dr.		

Document	Description	Volume	Page
	Robert Ley, written in Nurnberg Prison, 24 October 1945.	I	84, 263, 948, 1022
		II	172
		VIII	749
Statement XIV	Hungarian Relations with Germany Before and During the War by Nicholas Horthy, Jr., Nurnberg, 22 February 1946.	I	450, 839, 1022
		VIII	756
Statement XV	Why Hungary Went to War Against the Soviet Union by Nicholas Horthy, Jr., Nnrnberg, 3 May 1946.	I	840
		VIII	767
*Chart No. 1	National Socialist German Workers' Party. (2903-PS; USA 2)	I	124, 175, 229, 230
		II	24, 28, 51, 248, 315, 465, 489, 528, 592, 624, 653, 689, 738, 773, 896, 915, 1014, 1035, 1054
		VIII	770

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*Chart No. 2	Totalitarian Control of Propaganda and Education. (USA 21)	I	327, 340
		VIII	771
*Chart No. 3	Organization of the SS. (USA 445)	II	177, 178, 180, 184, 198, 199, 206, 316, 592
		VIII	772
*Chart No. 4	Report of Special Purpose Group "A" regarding Jews killed in the Baltic Countries, White Russia and Lithuania. (2273–PS; USA 487)	II	272
		VIII	773
*Chart No. 5	Position of Kaltenbrunner and the Gestapo and SD in the German Police System. (USA 493)	II	248, 316, 592
		VIII	774
**Chart No. 6	Reich Cabinet and Subsidiaries. (Enlargement displayed to tribunal.)	II	133
		VIII	775
**Chart No. 7	Organization of the Wehrmacht 1938–1945. (Enlargement displayed to tribunal.)	II	324, 565, 575
		VIII	776
**Chart No. 8	Organization of the SA. (Enlargement displayed to tribunal.)	II	154
		VIII	777
Chart No. 9	The Organization of German Business.	I	369
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*Chart No. 10	1938 Proposals for Luftwaffe Expansion 1938–1950. (15, 2527)	I	616, 679, 733
		II	415, 465
		VIII	779
**Chart No. 11	Aggressive Action 1938–39. (Enlargement displayed to tribunal.)	I	515, 592
		VIII	780
**Chart No. 12	German Aggression. (Enlargement displayed to tribunal.)	I	515, 592, 733, 775
		VIII	781
**Chart No. 13	Violations of Treaties, Agreements and Assurances. (Enlargement displayed to tribunal.)	I	515, 592, 672, 733, 775
		VIII	782
**Chart No. 14	Number of Politische Leiter being Prosecuted compared to Number of Nazi Elements in Germany and Entire German Population. (Enlargement displayed to tribunal.)	II	22
		End of VIII	
*Chart No. 15	Staff of the Fuehrer's Deputy. (3201–PS; GB 251)	II	467, 898
		End of VIII	
*Chart No. 16	The Structure of the German Police. (1852–PS; USA 449)	II	248, 316, 660
		End of VIII	

Document	Description	Volume	Page
*Chart No. 17	Foreign Organization of the NSDAP. (2354-PS; USA 430)	II End of VIII	173, 624
*Chart No. 18	Organization of the Reich Government. (2905-PS; USA 3)	I II End of VIII	179, 229, 230 95, 98
*Chart No. 19	Organization of the Security Police (Gestapo and Kripo) and the SD 1943-1945. (2346-PS; USA 480)	II End of VIII	248, 257, 592

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NUMBER OF POLITISCHE LEITER BEING PROSECUTED COMPARED TO NUMBER OF NAZI ELEMENTS IN GERMANY AND ENTIRE GERMAN POPULATION (1939 STATISTICS)

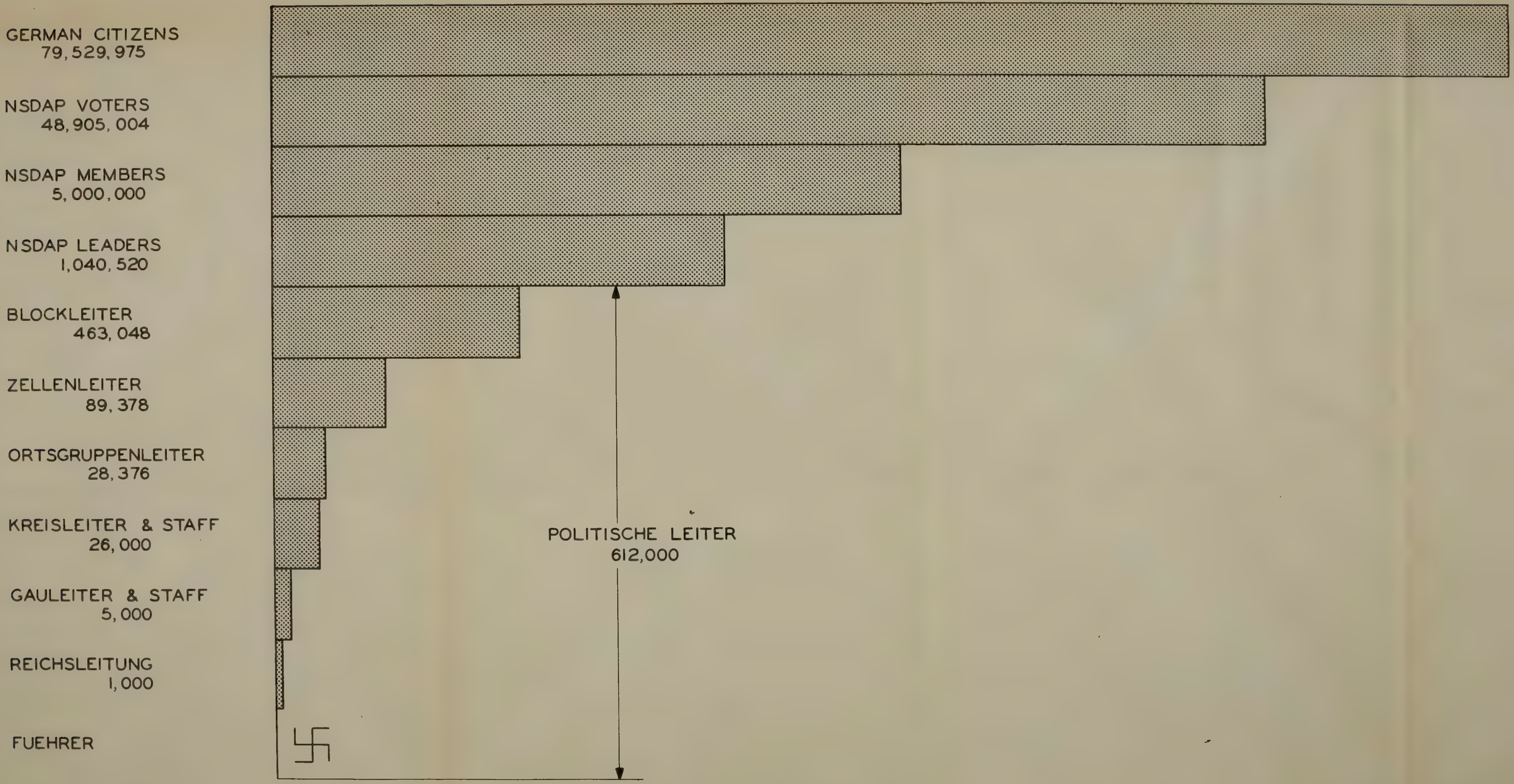
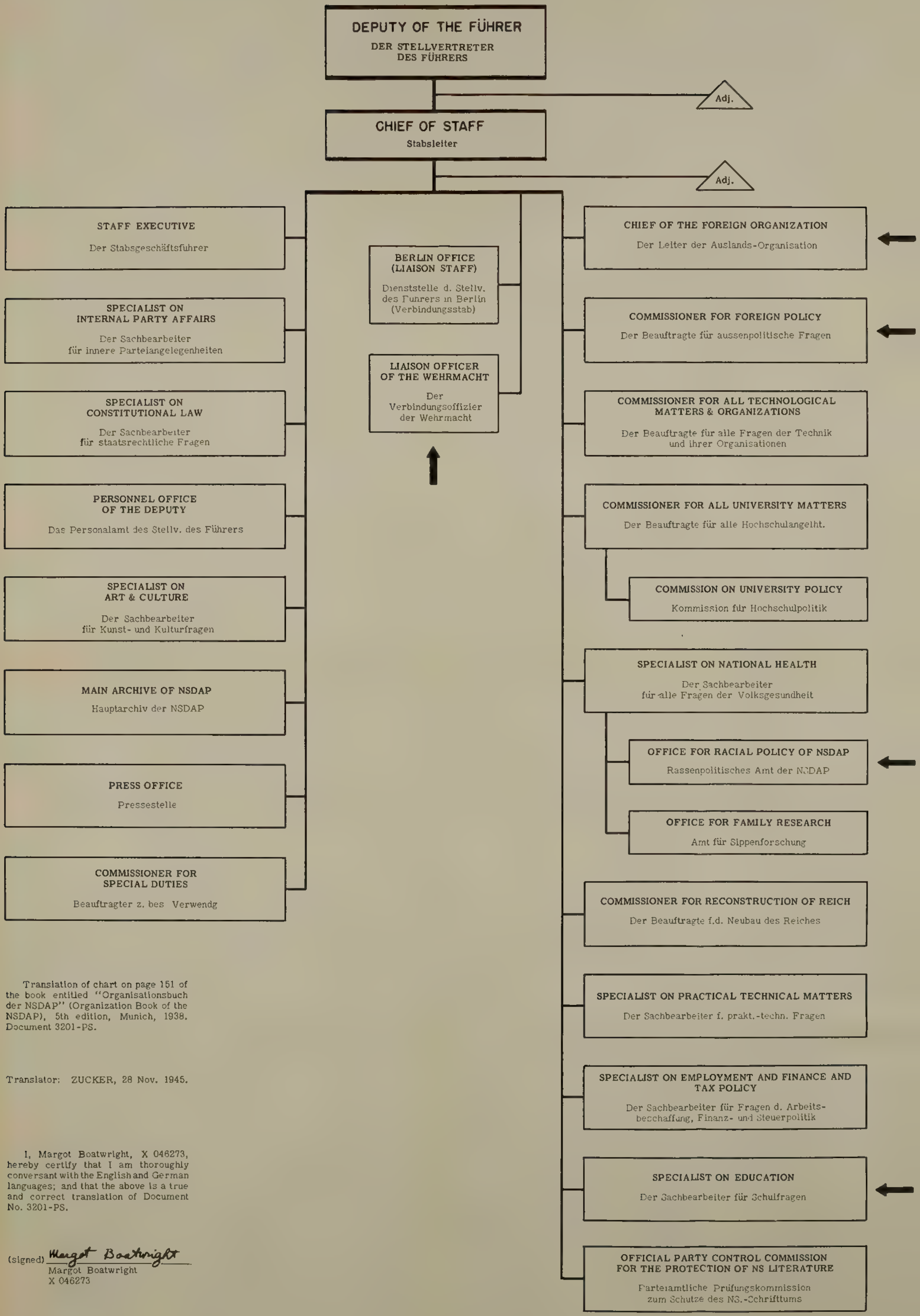


Chart 14

STAFF OF THE FÜHRER'S DEPUTY

Stab des Stellvertreters des Führers



DEPUTY OF THE FÜHRER
DER STELLVERTRETER
DES FÜHRERS

Adj.

CHIEF OF STAFF
Stabsleiter

Adj.

STAFF EXECUTIVE
Der Stabsgeschäftsführer

SPECIALIST ON INTERNAL PARTY AFFAIRS
Der Sachbearbeiter für innere Parteiangelegenheiten

SPECIALIST ON CONSTITUTIONAL LAW
Der Sachbearbeiter für staatsrechtliche Fragen

PERSONNEL OFFICE OF THE DEPUTY
Das Personalamt des Stellv. des Führers

SPECIALIST ON ART & CULTURE
Der Sachbearbeiter für Kunst- und Kulturfragen

MAIN ARCHIVE OF NSDAP
Hauptarchiv der NSDAP

PRESS OFFICE
Pressestelle

COMMISSIONER FOR SPECIAL DUTIES
Beauftragter z. bes Verwendg

BERLIN OFFICE (LIAISON STAFF)
Dienststelle d. Stellv. des Führers in Berlin (Verbindungsstab)

LIAISON OFFICER OF THE WEHRMACHT
Der Verbindungsoffizier der Wehrmacht

CHIEF OF THE FOREIGN ORGANIZATION
Der Leiter der Auslands-Organisation

COMMISSIONER FOR FOREIGN POLICY
Der Beauftragte für aussenpolitische Fragen

COMMISSIONER FOR ALL TECHNOLOGICAL MATTERS & ORGANIZATIONS
Der Beauftragte für alle Fragen der Technik und ihrer Organisationen

COMMISSIONER FOR ALL UNIVERSITY MATTERS
Der Beauftragte für alle Hochschulangelht.

COMMISSION ON UNIVERSITY POLICY
Kommission für Hochschulpolitik

SPECIALIST ON NATIONAL HEALTH
Der Sachbearbeiter für alle Fragen der Volksgesundheit

OFFICE FOR RACIAL POLICY OF NSDAP
Rassenpolitisches Amt der NSDAP

OFFICE FOR FAMILY RESEARCH
Amt für Sippenforschung

COMMISSIONER FOR RECONSTRUCTION OF REICH
Der Beauftragte f.d. Neubau des Reiches

SPECIALIST ON PRACTICAL TECHNICAL MATTERS
Der Sachbearbeiter f. prakt.-techn. Fragen

SPECIALIST ON EMPLOYMENT AND FINANCE AND TAX POLICY
Der Sachbearbeiter für Fragen d. Arbeitsbeschaffung, Finanz- und Steuerpolitik

SPECIALIST ON EDUCATION
Der Sachbearbeiter für Schulfragen

OFFICIAL PARTY CONTROL COMMISSION FOR THE PROTECTION OF NS LITERATURE
Parteiamtliche Prüfungskommission zum Schutze des NS.-Schrifttums

Translation of chart on page 151 of the book entitled "Organisationsbuch der NSDAP" (Organization Book of the NSDAP), 5th edition, Munich, 1938. Document 3201-PS.

Translator: ZUCKER, 28 Nov. 1945.

I, Margot Boatwright, X 046273, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 3201-PS.

(signed) Margot Boatwright
Margot Boatwright
X 046273

Presentation # A - SPD-OCC

Chart 15

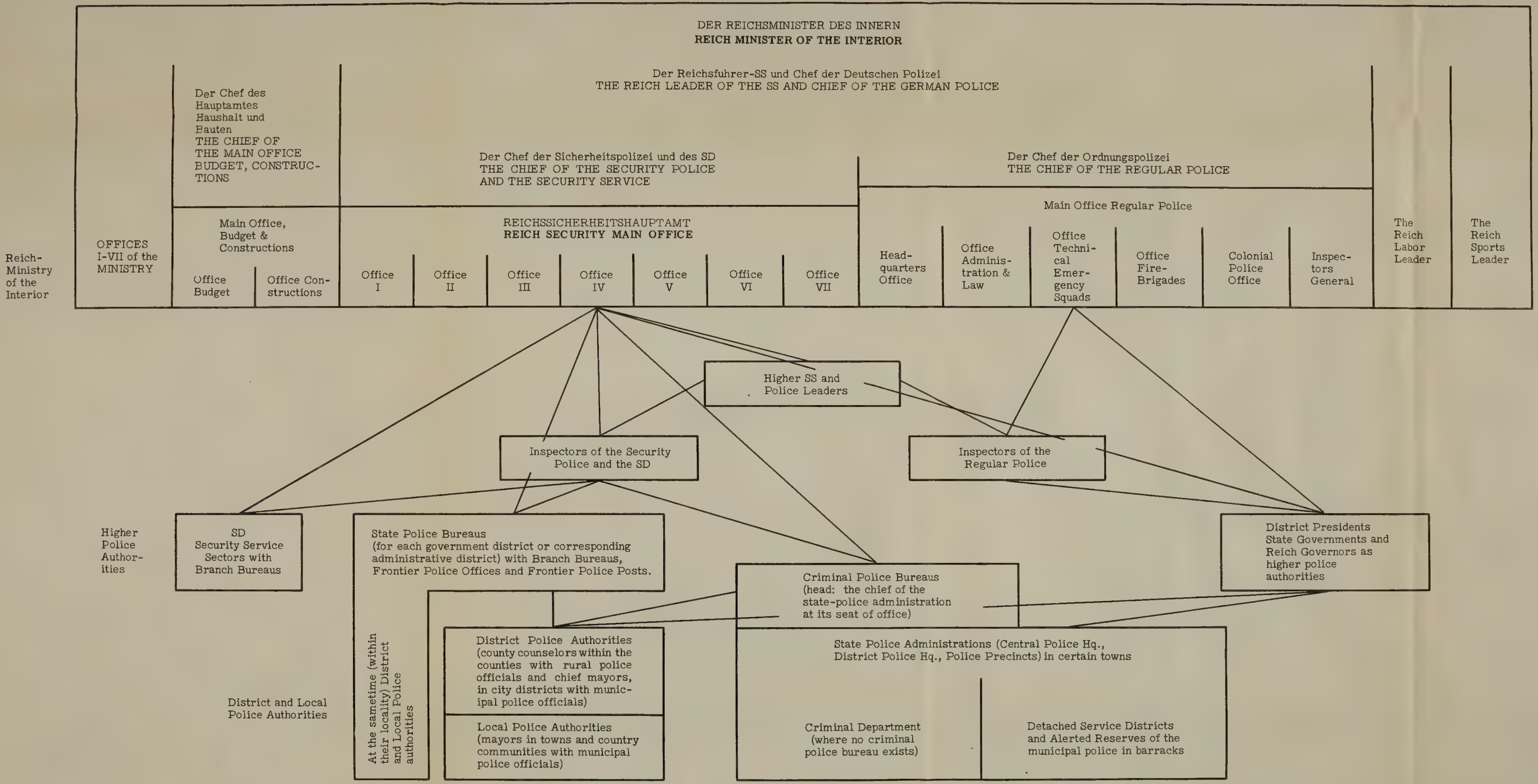
693261 O - 47 (In pocket)

1852-PS

THE STRUCTURE OF THE GERMAN POLICE

Translated by MAX MANLIN

(As of Summer 1941)


DER REICHSMINISTER DES INNERN
REICH MINISTER OF THE INTERIOR
Der Chef des Hauptamtes Haushalt und Bauten
THE CHIEF OF THE MAIN OFFICE BUDGET, CONSTRUCTIONS
Der Reichsfuhrer-SS und Chef der Deutschen Polizei
THE REICH LEADER OF THE SS AND CHIEF OF THE GERMAN POLICE
Der Chef der Sicherheitspolizei und des SD
THE CHIEF OF THE SECURITY POLICE AND THE SECURITY SERVICE
Der Chef der Ordnungspolizei
THE CHIEF OF THE REGULAR POLICE
Reich-Ministry of the Interior
OFFICES I-VII of the MINISTRY
Main Office, Budget & Constructions
Office Budget
Office Constructions
REICHSSICHERHEITSHAUPTAMT
REICH SECURITY MAIN OFFICE
Office I
Office II
Office III
Office IV
Office V
Office VI
Office VII
Main Office Regular Police
Headquarters Office
Office Administration & Law
Office Technical Emergency Squads
Office Fire-Brigades
Colonial Police Office
Inspectors General
The Reich Labor Leader
The Reich Sports Leader
Higher SS and Police Leaders
Inspectors of the Security Police and the SD
Inspectors of the Regular Police
Higher Police Authorities
SD Security Service Sectors with Branch Bureaus
State Police Bureaus (for each government district or corresponding administrative district) with Branch Bureaus, Frontier Police Offices and Frontier Police Posts.
Criminal Police Bureaus (head: the chief of the state-police administration at its seat of office)
District Presidents State Governments and Reich Governors as higher police authorities
District and Local Police Authorities
At the sametime (within their locality) District and Local Police authorities
District Police Authorities (county counselors within the counties with rural police officials and chief mayors, in city districts with municipal police officials)
Local Police Authorities (mayors in towns and country communities with municipal police officials)
State Police Administrations (Central Police Hq., District Police Hq., Police Precincts) in certain towns
Criminal Department (where no criminal police bureau exists)
Detached Service Districts and Alerted Reserves of the municipal police in barracks

Translation of chart on page 111 in the book entitled "The German Police" by Dr. jur. Werner Best, SS Brigadier General, published in 1941 by L. C. Wittich Verlag, Darmstadt.

I, Margot Boatwright, X 046273, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1852-PS.

(signed) Margot Boatwright
Margot Boatwright
X 046273

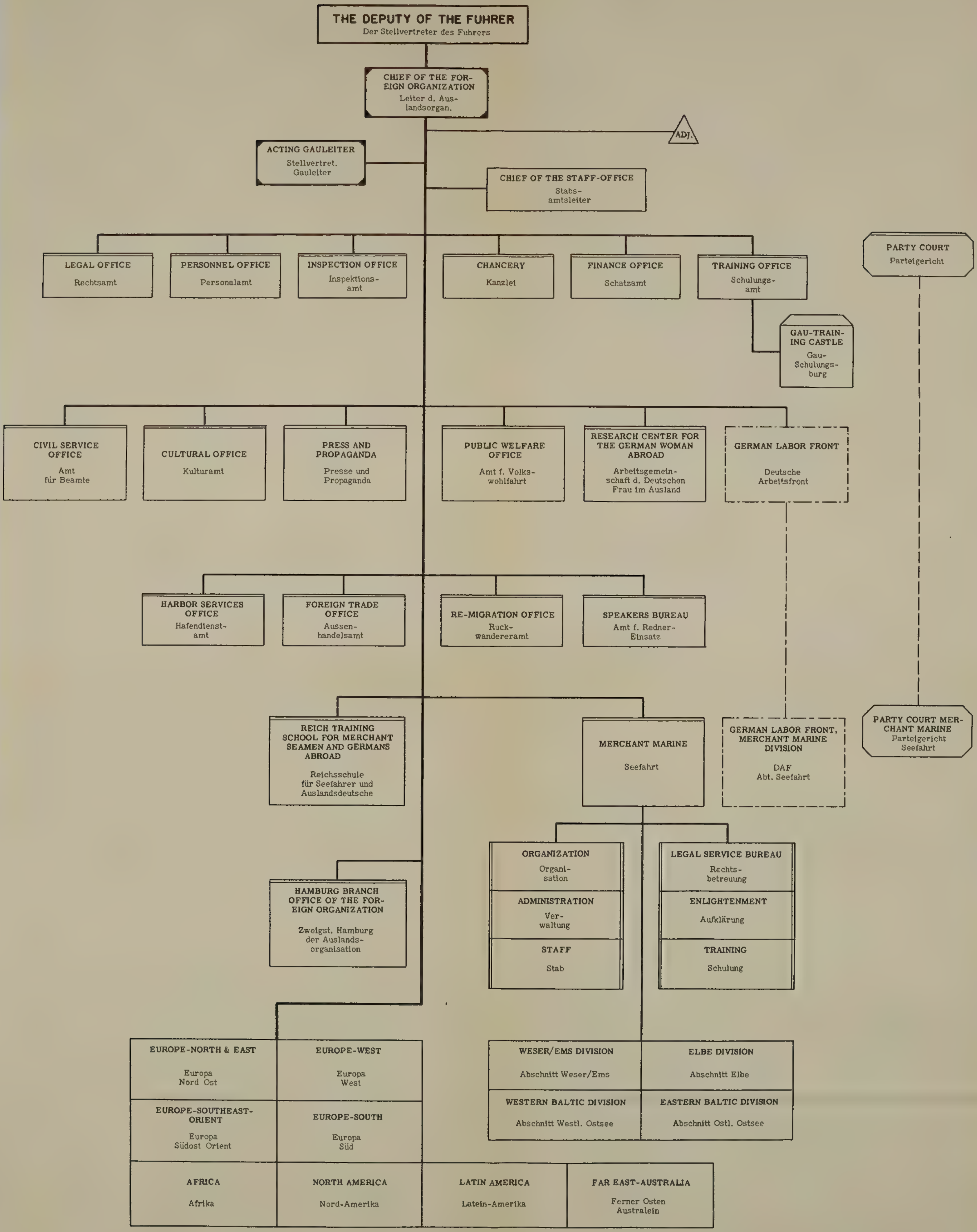
Presentation No. 77
SPD-OCC

Chart 16

693261 O - 47 (In pocket)

FOREIGN ORGANIZATION OF THE NSDAP

Auslandsorganisation der NSDAP


THE DEPUTY OF THE FUHRER
Der Stellvertreter des Fuhrers
CHIEF OF THE FOREIGN ORGANIZATION
Leiter d. Auslandsorgan.
ADJ.
ACTING GAULEITER
Stellvertret. Gauleiter
CHIEF OF THE STAFF-OFFICE
Stabsamtsleiter
LEGAL OFFICE
Rechtsamt
PERSONNEL OFFICE
Personalamt
INSPECTION OFFICE
Inspektionsamt
CHANCERY
Kanzlei
FINANCE OFFICE
Schatzamt
TRAINING OFFICE
Schulungsamt
PARTY COURT
Parteigericht
GAU-TRAINING CASTLE
Gau-Schulungsburg
CIVIL SERVICE OFFICE
Amt für Beamte
CULTURAL OFFICE
Kulturamt
PRESS AND PROPAGANDA
Presse und Propaganda
PUBLIC WELFARE OFFICE
Amt f. Volkswohlfahrt
RESEARCH CENTER FOR THE GERMAN WOMAN ABROAD
Arbeitsgemeinschaft d. Deutschen Frau im Ausland
GERMAN LABOR FRONT
Deutsche Arbeitsfront
HARBOR SERVICES OFFICE
Hafendienstamt
FOREIGN TRADE OFFICE
Aussenhandelsamt
RE-MIGRATION OFFICE
Ruckwandereramt
SPEAKERS BUREAU
Amt f. Redner-Einsatz
REICH TRAINING SCHOOL FOR MERCHANT SEAMEN AND GERMANS ABROAD
Reichsschule für Seefahrer und Auslandsdeutsche
MERCHANT MARINE
Seefahrt
GERMAN LABOR FRONT, MERCHANT MARINE DIVISION
DAF Abt. Seefahrt
PARTY COURT MERCHANT MARINE
Parteigericht Seefahrt
HAMBURG BRANCH OFFICE OF THE FOREIGN ORGANIZATION
Zweigst. Hamburg der Auslandsorganisation
ORGANIZATION
Organisation
ADMINISTRATION
Verwaltung
STAFF
Stab
LEGAL SERVICE BUREAU
Rechtsbetreuung
ENLIGHTENMENT
Aufklärung
TRAINING
Schulung
EUROPE-NORTH & EAST
Europa Nord Ost
EUROPE-WEST
Europa West
EUROPE-SOUTHEAST-ORIENT
Europa Südost Orient
EUROPE-SOUTH
Europa Süd
AFRICA
Afrika
NORTH AMERICA
Nord-Amerika
LATIN AMERICA
Latein-Amerika
FAR EAST-AUSTRALIA
Ferner Osten Australein
WESER/EMS DIVISION
Abschnitt Weser/Ems
ELBE DIVISION
Abschnitt Elbe
WESTERN BALTIC DIVISION
Abschnitt Westl. Ostsee
EASTERN BALTIC DIVISION
Abschnitt Ostl. Ostsee

Translation of the chart on page 145
in the book entitled, "Organization
Book of the NSDAP", Fifth Edition,
Central Publishing Company of the
NSDAP, Munich 1938.

I, KARL E. LACHMANN, X 018991, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document No. 2354-PS.

Signed Karl E. Lachmann
KARL E. LACHMANN
X 018991

Presentation #B SPD-OCC

Chart 17

693261 O - 47 (In pocket)

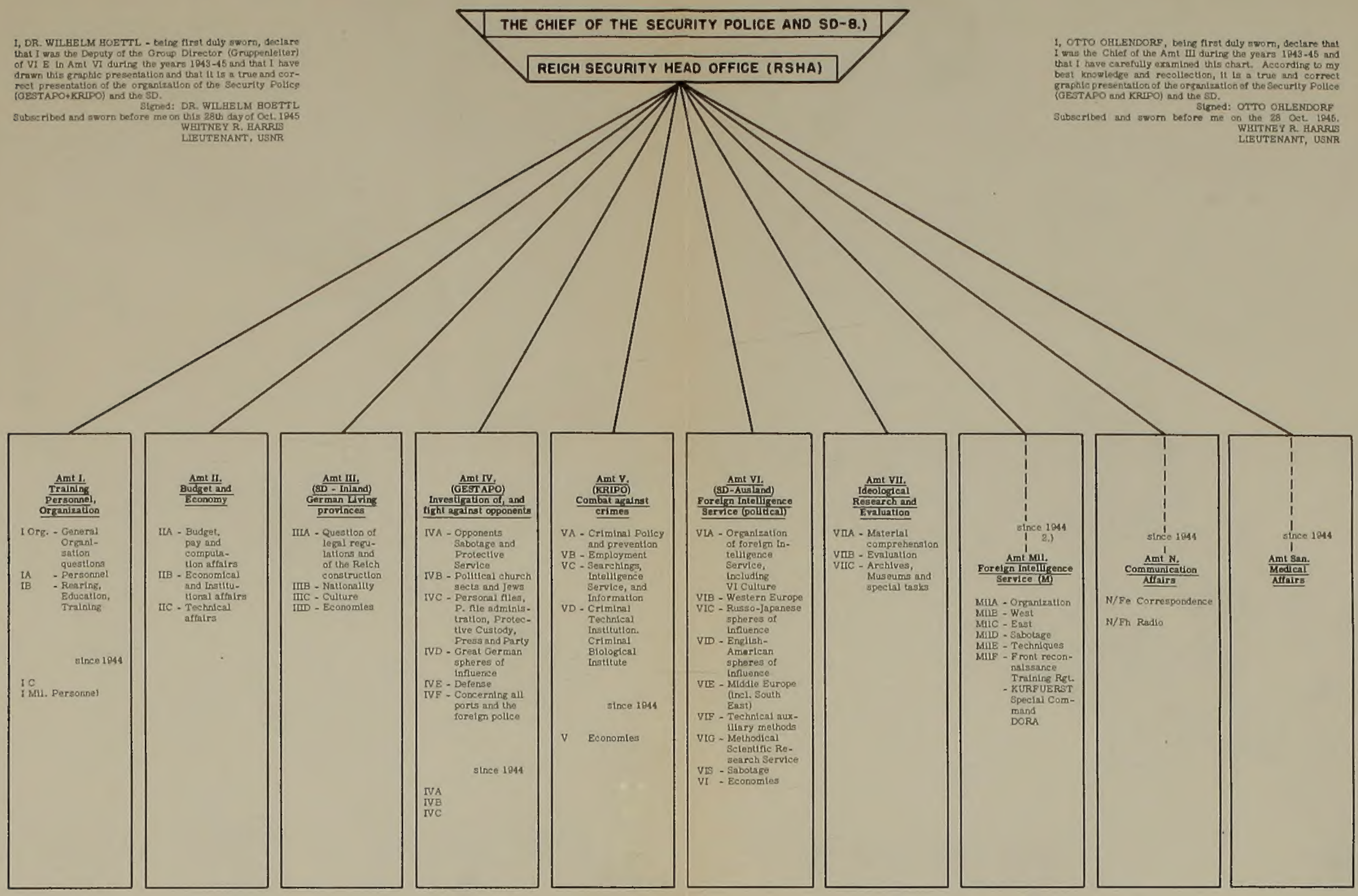
ORGANIZATION OF THE SECURITY POLICE (GESTAPO AND KRIPO) AND THE SD 1943-1945

I, DR. WILHELM HOETTL - being first duly sworn, declare that I was the Deputy of the Group Director (Gruppenleiter) of VI E in Amt VI during the years 1943-45 and that I have drawn this graphic presentation and that it is a true and correct presentation of the organization of the Security Police (GESTAPO+KRIPO) and the SD.

Signed: DR. WILHELM HOETTL
Subscribed and sworn before me on this 28th day of Oct. 1945
WHITNEY R. HARRIS
LIEUTENANT, USNR

I, OTTO OHLENDORF, being first duly sworn, declare that I was the Chief of the Amt III during the years 1943-45 and that I have carefully examined this chart. According to my best knowledge and recollection, it is a true and correct graphic presentation of the organization of the Security Police (GESTAPO and KRIPO) and the SD.

Signed: OTTO OHLENDORF
Subscribed and sworn before me on the 28 Oct. 1945.
WHITNEY R. HARRIS
LIEUTENANT, USNR



THE CHIEF OF THE SECURITY POLICE AND SD-8.)

REICH SECURITY HEAD OFFICE (RSHA)

Amt I. Training Personnel, Organization

- I Org. - General Organisation questions
- IA - Personnel
- IB - Rearing, Education, Training

since 1944

- I C
- I Mil. Personnel

Amt II. Budget and Economy

- IIA - Budget, pay and computation affairs
- IIB - Economical and Institutional affairs
- IIC - Technical affairs

Amt III, (SD - Inland) German Living provinces

- IIIA - Question of legal regulations and of the Reich construction
- IIIB - Nationality
- IIIC - Culture
- IIID - Economies

Amt IV, (GESTAPO) Investigation of, and fight against opponents

- IVA - Opponents Sabotage and Protective Service
- IVB - Political church sects and Jews
- IVC - Personal files, P. file administration, Protective Custody, Press and Party
- IVD - Great German spheres of influence
- IVE - Defense
- IVF - Concerning all ports and the foreign police

since 1944

- IVA
- IVB
- IVC

Amt V, (KRIPO) Combat against crimes

- VA - Criminal Policy and prevention
- VB - Employment
- VC - Searchings, Intelligence Service, and Information
- VD - Criminal Technical Institution. Criminal Biological Institute

since 1944

- V Economies

Amt VI. (SD-Ausland) Foreign Intelligence Service (political)

- VIA - Organization of foreign Intelligence Service, including VI Culture
- VIB - Western Europe
- VIC - Russo-Japanese spheres of influence
- VID - English-American spheres of influence
- VIE - Middle Europe (incl. South East)
- VIF - Technical auxiliary methods
- VIG - Methodical Scientific Research Service
- VIS - Sabotage
- VI - Economies

Amt VII. Ideological Research and Evaluation

- VIIA - Material comprehension
- VIIB - Evaluation
- VIIC - Archives, Museums and special tasks

since 1944 2.)

Amt Mil. Foreign Intelligence Service (M)

- MilA - Organization
- MilB - West
- MilC - East
- MilD - Sabotage
- MilE - Techniques
- MilF - Front reconnaissance Training Rgt.
  - KURFUERST Special Command DORA

since 1944

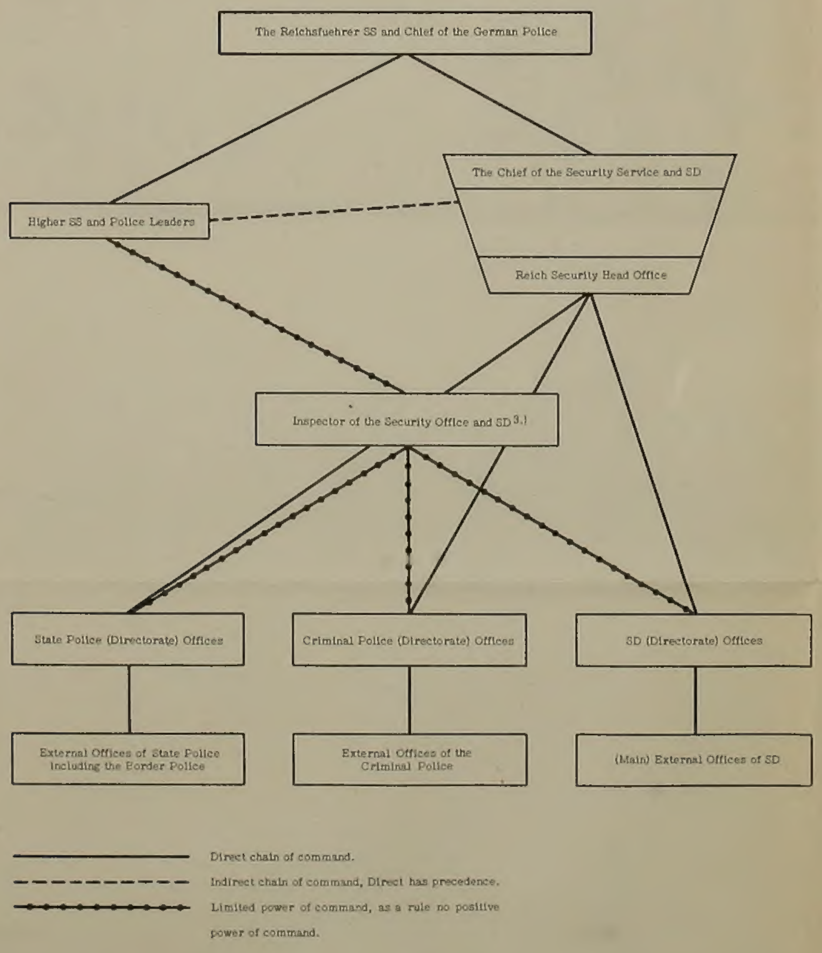
Amt N. Communication Affairs

- N/Fe Correspondence
- N/Fh Radio

since 1944

Amt San. Medical Affairs

A. Organization in the Territories of the German Reich



The Reichsfuehrer SS and Chief of the German Police

Higher SS and Police Leaders

The Chief of the Security Service and SD

Reich Security Head Office

Inspector of the Security Office and SD 3.)

State Police (Directorate) Offices

Criminal Police (Directorate) Offices

SD (Directorate) Offices

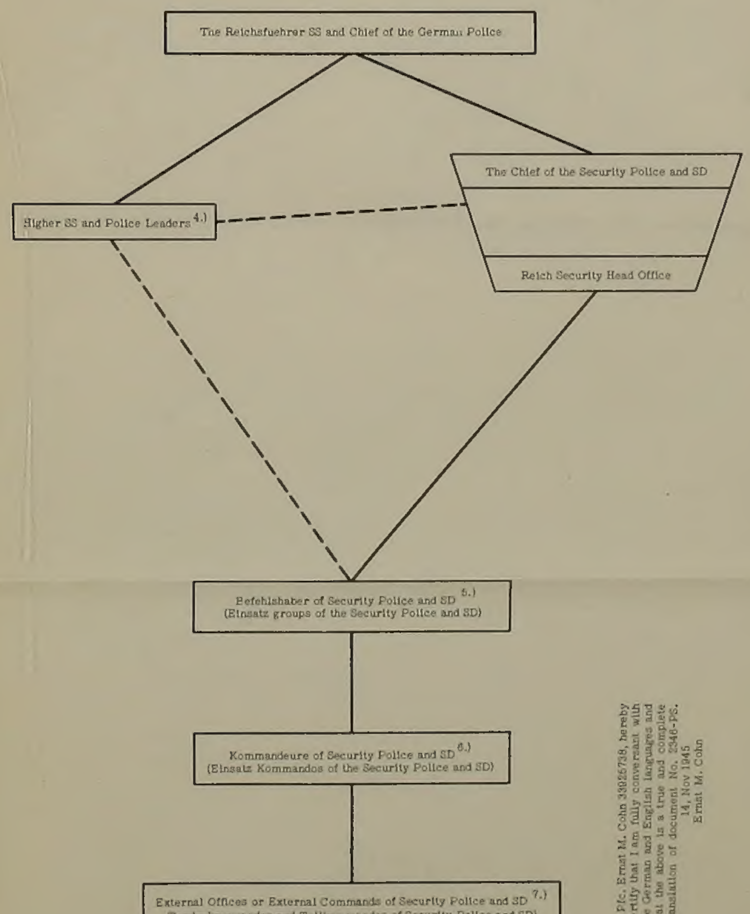
External Offices of State Police including the Border Police

External Offices of the Criminal Police

(Main) External Offices of SD

▬▬▬	Direct chain of command.
– – – –	Indirect chain of command, Direct has precedence.
●●●●	Limited power of command, as a rule no positive power of command.

B. Organization of the Occupied Territories



The Reichsfuehrer SS and Chief of the German Police

Higher SS and Police Leaders 4.)

The Chief of the Security Police and SD

Reich Security Head Office

Befehlshaber of Security Police and SD 5.)
(Einsatz groups of the Security Police and SD)

Kommandeure of Security Police and SD 6.)
(Einsatz Kommandos of the Security Police and SD)

External Offices or External Commands of Security Police and SD 7.)
(Sonderkommandos and Teilkommandos of Security Police and SD)

I, Pfc. Ernst M. Cohn 33925738, hereby certify that I am fully conversant with the German and English languages and that the above is a true and complete translation of document No. 2346-PS.
14, Nov 1945
Ernst M. Cohn

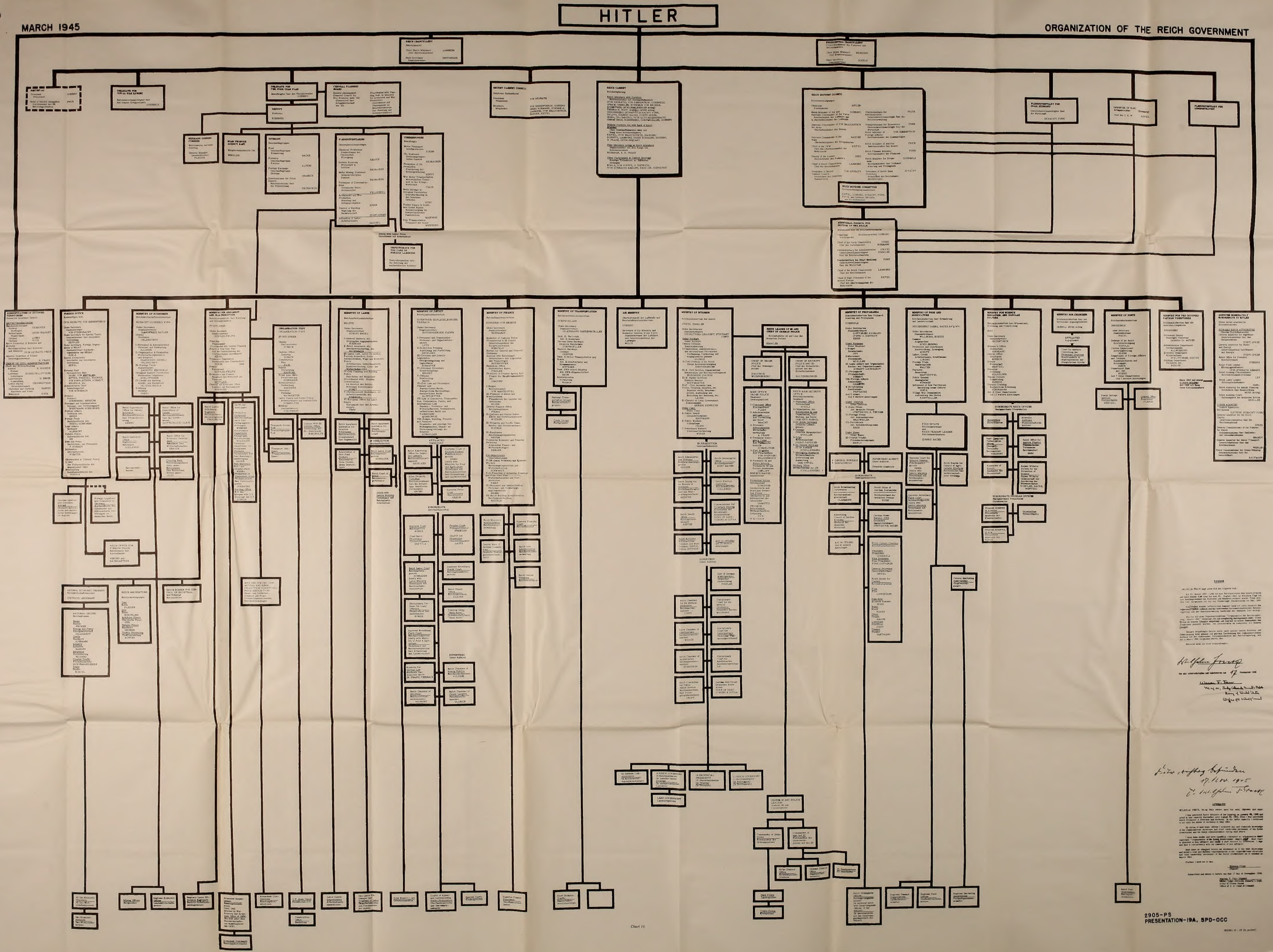
1.) Amt IV is identical with the Secret State Police (GESTAPO)
2.) Amt Mil - originated in February 1944 - is also under the Office Chief (Amtschef) VI (personalunion) since 20 July 1944
3.) Toward the end of the war there were likewise Befehlshaber and Kommandeure in almost all Reich territories. The unified form of organization of the Befehlshaber of the Security Police and SD, as in the occupied territories however, had not been executed. The Inspectors became only the Befehlshaber of the Security Police (and not the SD). The offices of the GESTAPO and KRIPO outside of that, were not divided as sections, but remained the same.
4.) There also was a "Higher SS and Police Leader" (Italy) as well as SS and Police Leaders under the Higher SS and Police Leaders (In Russia, Croatia Belgium).
5.) They were only called Einsatz groups in the operation at field and in rear area Army territories. Upon consolidation of the situation (Establishment of the Civil Administration) they became Befehlshaber of the Security Police and SD from the Einsatz groups.
6.) Same applies to Einsatz Commands as in 5 above. From the Einsatz commands they then became kommandeure of the Security Police and SD.
7.) Similar also were the Sonderkommandos and Teilkommandos, which became the external offices or external commands of the Security Police and SD.
8.) The institution of Security Police and the SD had a dual designation. Externally the designation of Chief of the Security Police was used; internally, Reich Security Head Office.

Chart 19

Document	Description	Volume	Page
*Chart No. 17	Foreign Organization of the NSDAP. (2354-PS; USA 430).	II	178, 524
		End of VIII	
*Chart No. 18	Organization of the Reich Government. (2905-PS; USA 3).	I	179, 228, 230
		II	95, 98
		End of VIII	
*Chart No. 19	Organization of the Security Police (Gestapo and Kripo) and the SD 1943-1945. (2346-PS; USA 480).	II	248, 257, 592
		End of VIII	

MARCH 1945

ORGANIZATION OF THE REICH GOVERNMENT



Wilhelm Frick

17

Warren F. Farr

Für richtig befunden
17. Nov. 1945
Dr. Wilhelm Frick

Chart 11

2905-PS
PRESENTATION-19A, SPD-OCC